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REPORT

ON

THE ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the year ending 31st December 1890.

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Report on the Administration of Criminal Justice in Oudh during the year ending 31st December 1890.

No. 1740 of 1891.

FROM

W. YOUNG, ESQ., C.S.I.,

JUDICIAL COMMISSIONER OF OUDH,

TO

THE SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH, JUDICIAL (CRIMINAL) DEPT.

Dated Lucknow, the 18th August 1891.

SIR,

I HAVE the honor to submit the report on the Administration of Criminal Justice in Oudh for the year 1890, with the prescribed returns, and to forward the reports of the Commissioners and Deputy Commissioners in original.

2. The statistical clerk whose services enabled the office to prepare the figured statements last year earlier than theretofore has this year been from sheer necessity often employed in assisting to prepare the ordinary work of the Court, which it will be readily understood has largely increased owing to the appointment of a Second Judge of the Court. To mention one point only, duplicate paper books in all bench cases are now required.

3. The district reports were received from Commissioners on the following dates :—

Lucknow Division	From 2nd March to 24th March.
Sitapur "	" 24th February to 4th March.
Fyzabad "	" 21st February to 3rd March.
Rae Bareli "	" 24th February to 10th March.

The district statements were received between the 20th January and the 4th May.

IMPERIAL RETURN No. I. Number of tribunals.

4. There were 192 criminal *tribunals*, inclusive of 15 Benches of Honorary Magistrates, in Oudh on the 31st December 1890, as against 186 tribunals on the 31st December 1889. Alterations in the personnel were as follows :—

	1889.	1890.
Assistant Commissioners	14	12
Assistant Settlement Officer (Unao)	0	1
Deputy Collectors	40	48
Honorary Magistrates	125	117

The 117 Honorary Magistrates comprise 15 benches (65 officers) and 52 Magistrates not sitting as benches. The criminal tribunals consisted of the following classes of officers :—

Europeans and Statutory Civilians ...	Covenanted officers	21
	Military officers	11
	Uncovenanted officers	8
Natives		2

IMPERIAL RETURN No. II. Offences reported.

5. The number of "offences reported" in 1890 rose slightly, *viz.*, to 49,342 from 48,565 in 1889, being an increase of 777 offences, or a little over one per cent. There was an increase in eight districts during the year under report as compared with the figures for 1889, but this time instead of the turbulent district of Bara Banki, it is Bahraich that leads with an increase of no less than 526 offences, Lucknow city following with an increase of 417 offences, whereas in Hardoi the figures were practically the same in each year. The most noticeable decreases were in the figures for Gonda—370, Fyzabad—253, and Partábgarh—243. In Bahraich there was an increase of 507 offences against property, and in Lucknow city offences against local and special laws increased by 356, and offences affecting the

public health, &c., by 42 during 1890, as compared with the figures for 1889. The decrease in the number of "offences reported" falls in Gonda under the class "offences affecting the human body"—403, and similarly in Fyzabad—178. In Partábgarh the heading "offences against property" shows a falling off of 252 in number.

Offences struck off or complaints dismissed under section 203, Criminal Procedure Code.

6. A fewer number of offences were struck off "by order of the Magistrate" and also a fewer number of complaints were dismissed under section 203, Criminal Procedure Code, during 1890, than in the preceding year, the total figures struck off or dismissed being 15,186 in 1889 and 13,744 in 1890. Over 27 per cent. of offences reported were thus disposed of in the year under report as against 31 per cent. in the previous year. The principal headings under which complaints were struck off or dismissed are—

	Reported.	Struck off or dismissed.
Extortion	209	153
Wrongful restraint	341	221
Kidnapping, &c.	133	85
Cheating	317	201
Defamation	365	225
Criminal intimidation	293	159
Mischief	1,832	899
Robbery	221	91
Offences against public tranquillity	534	206
Criminal force	3,510	1,355
Offences relating to marriage	1,381	527
Criminal breach of trust	326	122
Hurt	11,190	4,114
Criminal trespass	4,718	1,446
Theft	7,706	1,571
False evidence	637	105
Offences against special and local laws	12,051	1,844

7. The most noticeable fluctuations in percentages of offences struck off or dismissed during the year under report, as compared with those of the previous year, are under the headings "cheating" (+4) and "wrongful restraint" (+3); "criminal breach of trust" (−10); "false evidence, &c.," (−9); "offences relating to marriage" (−8); "theft" (−6), and "criminal force," "extortion," "mischief," each (−5). The percentages were identical in 1889 and 1890 as regards "hurt," "criminal intimidation," and "offences against special and local laws;" and it will be observed that "hurt" 11,190 and "special laws" 12,051, are much the most numerously occurring cases of any.

The small variation on the whole is remarkable.

The considerable diminution in cases struck off (9 per cent.) this year under head of 'false evidence' would indicate that this accusation has been less recklessly made than heretofore, and that where it has been made it has been made on precise and specific allegations, as it should be.

Cases struck off.

8. During the year under report 2,211 cases were struck off from the police registers by order of Magistrates, being as in the previous year somewhat less than five per cent.

Complaints dismissed.

9. There was a considerable decrease during 1890 in the number of complaints dismissed by Magistrates under section 203, Criminal Procedure Code, as compared with the figures for 1889, in which year 13,103 or 27 per cent. of the offences reported were dismissed, as against 11,533 or 23 per cent. in the year under report.

10. Eleven districts show a decrease in the offences dismissed during 1890 as compared with the figures for 1889, although in three of these districts the percentage of offences reported was higher. The percentages of complaints dismissed for 1890 are Bahraich 30·, Fyzabad 29·, Gonda 28·, Sultánpur and Partábgarh each 26·, Lucknow and

Unao 25·; all being above the provincial average (23·) : whilst Kheri 22·, Rae Bareli 21·, Bara Banki, Sitapur and Hardoi each 18·, and Lucknow City 14·, are below it.

11. Mr. Mulock, Deputy Commissioner of Lucknow, writes :—"These figures show "a marked diminution as compared with the previous year in the number of cases "struck off as false, or dismissed under section 203, Criminal Procedure Code, and a very "marked increase in the number of cases in which offenders have been brought to justice. "These facts all tend to show improved efficiency in the Police Department."

Mr. H. H. Butts, Deputy Commisioner of Sitapur writes :—"The cases struck "off under section 203 as groundless are distributed throughout the Code with more "or less unevenness. Out of 62 cases struck off and 631 dismissed under section 203 "'hurt' absorbs 148, 'assault' 114, 'offences against property' 186, 'offences against "marriage laws' 23, 'breach of the peace' 21, 'cattle trespass' 59 * * * * "With regard to offences against property, litigants often hope to get by a criminal "process what they should seek to recover in the Civil Courts."

The Deputy Commissioner of Hardoi remarks :—"If officers only had time they "would still more carefully examine complainants before issuing process against the "other side, and the result would be that more complaints would at once be dismissed. "But, as a rule, Deputy Magistrates are rather shy of dismissing complaints, because "the complainants then complain against them to the Deputy Commissioner."

12. The Deputy Commissioner, Hardoi, should impress upon his subordinates the great importance of their examining complainants before issuing summons against accused persons. This, as has often been pointed out,—

1. Enormously saves the officer's own time in the end.

2. Vastly improves the administration of justice by preventing their machinery being set at work recklessly, on insufficient grounds, to the great injury of many innocent persons (witnesses and others).

Neglect of this salutary provision of the law unjustly creates widespread prejudice against the administration of justice, a result for which the individual officer is wholly and solely to blame. This has been pointed out in previous Annual Reports and in the Circulars of this High Court, *vide* Annual Criminal Report for 1886, page 5, paragraph 14; and in the Report for 1887, page 7, paragraph 28. Also Book Circular XIV, 1882, pages 13-14 (section 202). Also Book Circular XX 1884, which deals specially with this subject.

13. Mr. A. Robinson, Deputy Commissioner, Fyzabad, notes that :—"As is usual, "about half the number of dismissals occur in cases of assault and criminal trespass."

The Deputy Commissioner of Bahraich, Mr. H. W. Gibson, writes :—"Half of "the total number (1,083) dismissed under section 203 fall under simple hurt; 404 "were dismissed on examining the complainants, 68 were withdrawn before issue of "process, in 450 the complainant failed to show he had evidence, and in 135 the police "enquiry showed the complaints to be false. In very few instances did the com-"plainant ask for revision."

Colonel F. Barrow, Deputy Commissioner of Gonda, writes regarding 125 offences struck off under the heading "Criminal tribes, &c." :—"I very much doubt if the 125 "cases shown as struck off should be entered here. On a Barwar absconding, a "record of evidence of the fact is made under section 512, Criminal Procedure Code. "The procedure enjoined in sections 87, 88 is also followed, and the case is eventually "consigned to the records. These cases have not hitherto been shown in Statement "No. II, but it is said there is no other place where these cases can be shown."

Number of cases in which compensation was awarded.

14. Compensation was awarded under section 250, Criminal Procedure Code, during 1890 to 145 persons, being 56 less than in 1889. Seven districts show a decrease, the most noticeable being Fyzabad 34, Unao 15, and Sultánpur 11. On the other hand, Bara Banki shows an increase of 13 in the number of persons compensated.

The Deputy Commissioner of Fyzabad, Mr. A. Robinson, writes :—" I cannot " explain the decrease. All cases are called for in which Magistrates have omitted to " give compensation under section 250, Criminal Procedure Code, and the attention of " all Subordinate Magistrates is constantly directed to the subject."

The Commissioner of the Lucknow Division, Mr. Moule, notes on the Unao report :—" It has been found almost impossible to get Magistrates to make free use of " the old section 250. It is to be hoped that they will take advantage of the recent " amendment in the law."

15. The attention of all Magistrates to the extended powers vested in them by Act IV of 1891 has been invited by a Circular from this office. The passing of this Act—a measure which I have frequently pressed upon Government—has cleared away the doubts which paralyzed the action of Magistrates under section 250, Criminal Procedure Code, and I have no doubt but that beneficial results will soon appear when the people have become acquainted with the provisions of the new law.

Cases brought to trial.

16. Hitherto it has been customary to include in column 4 of Imperial Return No. II " cases brought to trial " those cases shown in column 9 as " remaining under trial " at the close of the year. From the year 1891 " cases in which process has issued in the year under report for a date in the " following year will not be entered in the column headed ' brought to trial during the " year.' " As the number of such cases will closely correspond with the number of cases " remaining under trial " at the close of the year, I have deducted all the cases remaining under trial at the end of the year from column 4 " cases brought to trial " of the return for the years 1889 and 1890. With this alteration the District figures stand as under :—

	1889.	1890.	Difference.
Lucknow City	2,725	3,432	+707
Bara Banki	2,518	2,938	+420
Bahraich	1,874	2,230	+356
Sultánpur	2,320	2,668	+348
Rae Bareli	2,666	2,932	+266
Sitapur	2,546	2,799	+253
Partabgarh	1,966	2,137	+171
Unao	1,795	1,942	+147
Kheri	2,662	2,776	+114
Gonda	3,086	2,830	−256
Lucknow	1,705	1,551	−154
Hardoi	3,776	3,640	−136
Fyzabad	3,659	3,617	− 42

and show that 35,492 cases were brought to trial in 1890 as against 33,298 in 1889, being an increase of 2,194 cases. Nine districts show an increase, and four a decrease, in the number of cases brought to trial during 1890 as compared with the figures for 1889.

The increase in the number of offences brought to trial during 1890, as compared with the figures for 1889, occurs under the headings " contempt of the lawful autho- " rity of public servants" " false evidence" &c., " theft," " receiving stolen property," " criminal trespass " and " special and local laws."

Persons brought to trial.

17. During 1889 the number of persons actually brought to trial aggregated 61,839, and this number rose to 65,251 in the year under report. The figures for both years are here given :—

	1889.		1890.	
	Number.	*Percentage.*	*Number.*	*Percentage.*
Acquitted or discharged	33,203	53·69	32,405	49·66
Convicted	28,553	46·17	32,735	50·16
Died, escaped or transferred ...	83	·13	111	·17

The percentage of convictions obtained in 1890 is considerably higher than that of 1889, being nearly 4 per cent. better.

The number of persons convicted, moreover, was over 4,000 more than in the previous year.

General results.

18. The general results for the years 1889 and 1890 are as follow :—

	1889.	1890.
Cases reported	48,565	48,342
„ struck off and dismissed	15,186	13,744
„ returned as true	33,379	35,593
Percentage returned as true	68 73	72 14
Persons under trial	61,839	65,251
„ convicted	28,558	32,735
Percentage of convictions	46 17	50·16

The work of the Criminal Courts of Oudh for the year will, I think, be allowed to have been not only relatively better than in the preceding year, but good from every point of view, and howsoever tested.

Certain special details.

19. The number of persons tried during 1890 aggregated 65,140, being 3,384 more than in 1889. The percentage of convictions rose from 47· in 1888 and 46· in 1889 to over 50· in 1890. "Theft" accounts for 1,425, "special and local laws" for 711, and "criminal trespass" for 454 of the increase in the number of convictions obtained. The headings "false evidence, &c." "offences against public health" and "receiving stolen property" are the next in order of those which show an increase in the number of convictions obtained in 1890.

Rioting.

20. Convictions were obtained against 61 per cent. of the persons tried for rioting during 1890 as against 63 per cent. in the previous year. The highest percentages were obtained in Hardoi 87·, Partábgarh 76·, Rae Bareli 75·, and Lucknow 74· ; 34·, being the lowest, was obtained in Bahraich.

Affray.

21. The percentage of convictions obtained during 1890 against persons charged with committing an affray curiously enough was exactly the same as in the previous year, *viz.*, 72·. At Partábgarh 14 persons, at Bara Banki eight persons, and at Sultánpur six persons were tried, and all were convicted. Thirteen persons were tried in each of the districts Sitapur and Hardoi, and in each case eleven persons were convicted, whilst eight persons were convicted out of nine tried at Fyzabad.

Contempt of the lawful authority of public servants.

22. The number of persons tried on the charge of "contempt of lawful authority of public servants" rose from 894, of whom 479 or 53 per cent. were convicted in 1889, to 1,200 persons tried, of whom 750 or 62 per cent. were convicted in 1890. In the Hardoi district 181 persons were tried, of whom 98 or 54 per cent were convicted in 1889 as against 311 tried, of whom 203 or 65 per cent. were convicted, in 1890. In Sitapur the number of persons tried in 1890 rose to 101 from 27 in 1889, but the percentage of convictions was 51 in each year. Mr. Butts reports that the majority of such cases in his district are petty delinquencies on the part of patwáris and others who neglect to obey summonses promptly.

False evidence and offences against public justice.

23. During the year under report 712 persons were tried for giving false evidence and for offences against public justice and 394 were convicted, as against 580 tried and 280 persons convicted in the previous year. The provincial percentage of convictions under this head rose from 48· in 1889 to 55· in 1890. Percentages of convictions rose to 51· both in Rae Bareli and Bara Banki from 47·, and 37·, respectively in 1889.

24. Nearly double as many persons were tried in 1890 for offences affecting the public health, &c., as were tried in 1889, but strange to say the percentage of convictions obtained, *viz.*, 80·, is the same in each year. The figures are 276 persons tried, of whom 221 were convicted, in 1889 as against 526 persons tried, of whom 424 were convicted, in 1890. The most noticeable increase was in Lucknow City, *viz.*, 227 persons tried and 203 persons or 89 per cent. convicted in 1890, as against 109 persons tried and 93 persons or 85 per cent. convicted in 1889.

Offences affecting the public health, &c.

25. The number of offences reported during 1890 under the heading "hurt without aggravating circumstances" were fewer by 696 cases than in the previous year, and those struck off or dismissed under section 203, Criminal Procedure Code, were also fewer by 268 cases. The number of persons tried was 1,781 less, and of those acquitted 743 less than in 1889. The figures for both years are given below :—

Hurt.

	Offences.		Persons.	
	Reported.	Struck off or dismissed.	Tried.	Acquitted.
1889	11,273	4,299	15,299	8,839
1890	10,577	4,031	14,518	8,096

The provincial percentage of acquittals to persons tried fell from 57· in 1889 to a little less than 56· in 1890. The district percentages of acquittals for both years are as follow :—

	1889.	1890.
Gonda	68·	73·
Hardoi	67·	66·
Unao	64·	61·
Sitapur	67·	61·
Kheri	62·	59·
Fyzabad	54·	57·
Rae Bareli	66·	56·
Bahraich	57·	55·
Lucknow City	55·	53·
Sultánpur	45·	49·
Bara Banki	48·	47·
Lucknow	41·	44·
Partábgarh	35·	36·

The percentages of the first six districts exceed the provincial one, that of Gonda being 5 per cent. over the percentage for 1889, and the Fyzabad percentage being also higher than in 1889, but the other four districts show improvement.

The differences of the percentages for Rae Bareli (—10), Sitapur (—6) as well as those for the last four districts in the list probably evince care on the part of the Magistracy in admitting complaints.

26. It should be remembered that although offences of this nature are the most numerous of any (save, perhaps, offences against special laws), prosecutions to conviction are less likely to occur in them than in any other class of offence. They are compoundable, and however aggrieved a prosecutor may feel when the pain received in some petty assault is fresh, as soon as the pain is gone a few rupees will often suffice to salve his feelings : or, indeed, motives of personal convenience or the expense of losing a day or two's wages will frequently induce him to let the matter drop.

27. The number of persons tried for offences noted in the margin fell from 327 in 1889 to 265 in 1890, and the percentage of convictions also fell from 24 to 19. The following districts show percentages of convictions above the average, *viz.*, Lucknow 51·, Gonda 37·, Sultánpur 28·, Hardoi and Rae Bareli each 22·. Out of the persons tried in the following districts Bara Banki 28, Partábgarh 20, Sitapur 16, and Kheri 13, only one person in each district was convicted. The Magistrates of Bara Banki and Partábgarh have been asked if they are aware of any explanation of these results, as they do not offer any in their reports.

Wrongful restraint and wrongful confinement.

Criminal force and assault.

28. During the year under report there were 3,510 complaints of criminal force and assault, 4,262 persons being tried, of whom 2,730 were acquitted. These figures are lower than the ones for 1889 by 136 complaints, 153 persons tried and 132 acquitted. The percentage of acquittals to persons tried was 64· in 1890 as against 65· in 1889. District percentages of acquittals for each year are given below :—

	1889.	1890.
Lucknow City	76·	85·
Sitapur	74·	77·
Kheri	70·	76·
Rae Bareli	69·	71·
Lucknow	71·	67·
Unao	78·	65·
Gonda	45·	61·
Sultánpur	39·	60·
Hardoi	67·	57·
Bara Banki	47·	51·
Fyzabad	74·	51·
Partábgarh	63·	49·
Bahraich	70·	47·

There are only five districts above the provincial percentage instead of nine as in 1889. Whilst Fyzabad and Bahraich each (—23) Partábgarh (—14) Unao (—13) and Hardoi (—10) show a marked improvement on the figures for 1889, the large increase of acquittals in Sultánpur (+21) Gonda (+16) and Lucknow City (+11) indicate, I fear, too great laxity in examining complainants before issue of summons.

This remark, however, must be read along with my remarks *supra* under the head of "hurt."

Theft.

29. During 1890 the number of cases of ordinary theft that were reported rose to 7,667 from 6,832 in 1889. The number of persons tried likewise rose from 6,587 to 8,350, as also of persons convicted from 4,776 to 6,230. The provincial percentage of persons convicted to persons tried was 74·6 in 1890 as against 72·3 in 1889. Five districts show a higher percentage than the average, *viz.*, Unao 84·, Sitapur 81·, Partábgarh 80·, Lucknow City 79·, and Hardoi 78·. The two lowest percentages are shown by Gonda 69·, and Sultánpur 64·.

The results under this head for the province generally are, I think, satisfactory.

Robbery and dakaiti.

30. In 1889 over 56 per cent. of the persons tried for robbery and dakaiti were convicted, *viz.*, 201 out of 358 persons tried. The figures for 1890 are 341 persons tried, of whom 178 or 52 per cent. were convicted. Taking separately the several kinds of offences classed under this heading I find that no less than 17 persons were convicted out of 20 tried for "robbery with "hurt, section 394," whilst 105 persons or 56 per cent. were convicted out of 186 tried under "robbery, other cases, sections 392 and 393." Seven persons were tried for "dakaiti with attempt to cause death, section 397" and were all convicted. Results were very poor under "dakaiti—other cases," as out of 128 persons tried only 49 were convicted. This is owing to the failure to obtain a conviction against 30 persons tried at Bahraich, 6 at Lucknow, 4 at Partábgarh, 2 at Lucknow City and to only 8 being convicted out of 38 tried at Sultánpur. The following districts show good results :— Sitapur 3 persons tried and convicted; 14 convicted out of 15 tried at Bara Banki; 9 convicted out of 10 tried at Rae Bareli; 10 convicted out of 13 tried at Fyzabad, and 5 convicted out of 7 tried at Kheri.

Receiving stolen property.

31. The provincial percentage of convictions to persons tried for receiving stolen property was practically the same in the years 1889 and 1890, it being 71·9 and 71·6 respectively. In 1890 the district percentages Sitapur 84·, Partábgarh 81·, Unao and Hardoi each 76·, and Kheri 72· were higher than the average. The lowest percentage was Bara Banki 53·. Convictions numbered 1,153 in 1890 as against 958 in 1889.

Cheating.

32. Out of 317 cases of cheating reported in 1890, no less than 191, or more than half, were struck off or dismissed by Magistrates under section 203, Criminal Procedure Code, and yet the percentage of convictions obtained was only 33·, almost the same (34·), as in 1889. The percentages of convictions obtained in six districts were above the average, *viz.*, Lucknow 75·, Lucknow City 53·, Gonda 50·, Bara Banki and Rae Bareli each 39·, and Sultánpur 36. The lowest percentage was that of Partábgarh 17·.

Criminal trespass.

33. There is a marked increase in the number of convictions obtained in 1890 against persons charged with offences that are classed under the heading "criminal trespass" as compared with the figures for 1889, in which year 2,418 persons or 48· per cent. were convicted, out of 4,960 persons tried. In 1890 out of 5,221 persons tried, 2,872 or 55 per cent. were convicted. Six district percentages exceeded the average, the three at the head of the list being Hardoi 75·, Unao 67·, Lucknow 65·.

Offences relating to marriage.

34. During the year under report 196 persons or 18 per cent. were convicted out of 1,056 persons tried for offences relating to marriage. Out of 1,381 offences reported 527 were struck off or dismissed, but it is evident that a great many more complaints should have been rejected when we find that in Gonda only 5 persons were convicted out of 82 tried and in Unao 2 persons convicted out of 38 tried. The attention of the Magistrates of these districts has been called to these figures.

Defamation.

35. Similar remarks to those made in the last paragraph will apply to complaints of defamation, for although 225 were struck off or dismissed out of 365 offences reported, yet only 19 persons were convicted out of 217 tried. In Kheri 65 persons, in Bahraich 31, and in Bara Banki 23 persons were tried, and in each district only two persons were convicted. Out of 25 persons tried in Rae Bareli one was convicted. The 18 persons tried in Partábgarh were all discharged or acquitted. Magistrates have evidently admitted charges of defamation too easily, and their attention has been called to this subject.

Criminal intimidation and annoyance.

36. As against 275 offences reported and 160 rejected in 1889, there were 230 complaints of which 159 were rejected in 1890. Convictions were obtained in 1890 against 51 persons out of 230 tried or 22 per cent, which is 3 per cent better than in 1889. The highest percentage of convictions (59·) was obtained in Lucknow City. The other district percentages are Sitapur and Fyzabad each 28·; Unao, Hardoi and Kheri each 25·; Partábgarh 24·; Rae Bareli 17· and Sultánpur 11·.

Arms and Explosives Acts, XI of 1878 and IV of 1884.

37. Out of 76 persons tried under these Acts 75 per cent. were convicted. Convictions were obtained against all the persone tried in Bahraich (11), Bara Banki and Sultánpur each (2), and in Fyzabad (1). Fourteen persons were convicted out of 17 tried in Hardoi, and 12 were convicted out of 14 tried in Kheri.

These results are satisfactory.

Cantonments Act, III of 1880.

38. The number of persons tried for offences against the Cantonments Act in 1890 fell to 710, of whom 627 or 88 per cent. were convicted. The number of persons tried in 1889 was 805, of whom 730 or over 90* per cent. were convicted. Only 437 offences were reported in 1890 as against 533 in 1889.

Forests Act VII of 1878.

39. One hundred persons were tried for offences against the Forest laws and 89 were convicted during 1890 as against 85 convicted out of 87 tried in 1889. None of the Magistrates take exception to the working of the Forests Act, and considering the large area governed by this law the number of persons prosecuted is small and the success in prosecution shows that proceedings are taken with due judgment.

* 85·8 printed in annual report is incorrect.

Gaming and Lotteries Act, III of 1867.

40. During the year under report 682 persons were tried for gaming, and 550 or 81 per cent. were convicted. In the previous year 606 persons were tried and 529 or over 87 per cent. were convicted. In Hardoi 216 persons were convicted out of 238 tried, and 12 persons were convicted in each of the districts of Sitapur and Rae Bareli out of 13 persons tried.

Municipal bye-laws.

41. The number of persons tried for breaches of Municipal bye-laws during 1890 was 4,572, being just 65 more than in 1889, and the percentage of convictions to persons tried in 1890 was 83· as against 84·5 in 1889. A comparative statement showing the number of persons tried in each district during 1889 and 1890 and the percentage of convictions to the number of persons tried in 1890 is given below :—

	Persons tried.		*Difference.*	*Percentage of convictions to persons tried.*
	1889.	1890.		1890.
Unao	29	45	+ 16	93·
Gonda	308	218	— 90	93·
Partábgarh	142	86	— 56	93·
Sultanpur	88	50	— 38	92·
Bahraich	218	235	+ 17	89·
Sitapur	353	373	+ 20	86·
Lucknow City	1,323	1,838	+ 515	85·
Fyzabad	691	578	—113	79·
Hardoi	1,071	700	—371	78·
Bara Banki	109	46	— 63	74·
Kheri	30	11	— 19	72·
Rae Bareli	145	392	+247	70·

42. I fear it is this class of cases and the next, *viz.*, nuisances, which considerably improves the general "Provincial average of convictions," which, without their welcome help and high averages 93, 93, 93, 92, 89, &c., &c., would present a much less satisfactory appearance.

The Deputy Commissioner of Rae Bareli (Mr. C. W. Whish) writes :—"The "increase under this head (offences under special and local laws) was at 65·66 per "cent. and the convictions obtained amounted to 72·04 per cent. as against 56·42 per "cent. in the year 1889. This increase is chiefly due to 385 cases having been reported "under Act XV of 1883 (Municipal bye-laws) and 162 cases under section 34, Act V of "1861 (Nuisances) in this year as against 131 and 81 cases respectively in the preceding "year. These cases were generally decided by the Bench of Magistrates and by Mr. "Gracey, Assistant Commissioner. This excess of zeal in the cause of sanitation is to be "deplored. I fear it will not have promoted the cause, but rather tended to an opposite "direction."

43. Mr. Whish has been instructed that he should advise his subordinates to temper zeal with discretion. While no sensible person doubts the great importance of attention to hygiene in these days, it is most essential that the less enlightened part of the community should not be unnecessarily worried and thereby provoked into opposition.

Nuisances, Act V of 1861.

44. There was an increase of 1038 in the number of persons tried under Act V of 1861 during 1890, as compared with the figures for 1889. In the year under report 4,947 persons were tried 4,620 of whom were convicted, the percentage of convictions being 93· as in the previous year. A comparative statement similar to that for "Municipal bye-laws" is here given :—

	Persons tried.		*Difference.*	*Percentage of convictions to persons tried.*
	1889.	1890.		1890.
Hardoi	81	101	+ 20	97·
Unao	357	590	+233	95·
Lucknow	63	37	— 26	94·
Fyzabad	1,118	1,410	+292	94·
Gonda	181	331	+150	94·
Sultánpur	209	325	+116	94·
Partábgarh	36	16	— 20	94·
Rae Bareli	473	713	+240	92·
Lucknow City	946	1,012	+ 66	91·
Kheri	64	45	— 19	91·
Bara Banki	137	272	+135	90·
Bahraich	12	30	+ 18	90·
Sitapur	232	65	—167	84·

Opium Acts (XIII of 1857 and I of 1878).

45. During the year under report 365 persons were tried and 281 or 77 per cent. were convicted of offences against the Opium Acts, as against 238 persons tried and 196 persons or 82 per cent. convicted in 1889. In Bara Banki 57 persons were tried and 41 persons or 72 per cent. were convicted, whilst only 38 persons or 52 per cent. out of 73 persons tried in the Lucknow City were convicted.

Railways Act (IV of 1883).

46. The number of persons tried for offences under the Railways Act fell off from 130 in 1889 to 87 in 1890. Convictions decreased from 110 persons or 84 per cent. in 1889 to 62 persons or 71 per cent. in 1890. All the persons tried in Lucknow, Unao and Kheri were convicted, as well as 80 per cent. of those tried in Lucknow City and Bara Banki. Out of 24 persons tried in Gonda only 11 persons or 46 per cent. were convicted. No case of special interest occurred during the year.

Stamps Act (I of 1879).

47. There was a considerable increase in the number of persons tried and convicted during 1890 for breaches of the Stamp law as compared with the figures for 1889 when 356 persons were tried, of whom 296 or 83 per cent. were convicted as against 585 persons tried and 483 convicted or 82 per cent. in 1890. The highest percentage of convictions obtained in a district was in Bahraich, where out of 62 persons tried, 59 persons or 95 per cent. were convicted. Out of 148 persons tried in Sultánpur 134 persons or 90 per cent. were convicted.

IMPERIAL RETURN No III. Proceedings under Criminal Procedure Code, Security for keeping the peace.

48. The number of persons called upon to show cause why they should not furnish security for keeping the peace during 1890 rose to 2,857 from 2,148 in 1889. The number finally ordered to furnish security likewise rose to 1,694 persons from 984 and the percentage of persons so ordered to those called upon rose from 45·8 in 1889 to 59· in 1890. In five districts the percentages of persons ordered to furnish security exceed the provincial one. Hardoi leads with 76 per cent. of persons so ordered out of 522 persons called upon.

Security for good behaviour.

49. There was an increase during the year under report in the number of persons called upon to show cause why they should not furnish security for good behaviour, and also of those finally ordered to do so, as compared with the figures for the previous year. In 1889 the number of persons called upon was 512, of whom 379 were ordered to furnish security as against 644 persons called upon and 487 ordered to furnish security in 1890. The following districts show a noticeable increase in the number of persons called upon to furnish security in 1890, as compared with the figures for 1889:—Lucknow City (+ 59) Hardoi (+ 41) Bahraich (+ 41) Rae Bareli (+ 37). In Hardoi 130 persons were ordered to furnish security out of 169 called upon; in Lucknow 67 were so ordered out of 76 persons called upon, and in Rae Bareli out of 82 persons called upon 72 were ordered to furnish security.

The Commissioner of the Lucknow Division, Mr. Moule, writes regarding the Lucknow City:—"A large increase here, but it was necessary to check the city *bad-*"*mashes*, and the Magistrate has done very useful work in this direction."

Mr. Gibson, the Deputy Commissioner of Bahraich, notes "More activity "was shown by the police under Chapter VIII, Criminal Procedure Code, and "advisedly."

Mr. Whish, Deputy Commissioner of Rae Bareli, remarks:—"Vigorous attempts "have been made to break up the criminal gangs which infested the district. This has "necessitated the institution of a large number of bad livelihood cases. Under careful "supervision the utility and importance of this preventive jurisdiction cannot be denied. "Since taking charge of the district, I have personally directed the whole proceedings

"and, whenever possible, tried the cases myself: and I think I may add that the "measures taken to prevent abuses have been entirely successful."

50. Mr. Whish, who is an energetic and carefal Magistrate, has evidently borne in mind the directions given in paragraphs 47 and 48 of the annual Criminal Report for 1887.

The Deputy Commissioner of Hardoi (+ 44,) does not refer to the subject, largely used although the preventive powers of section 110, Criminal Procedure Code, have been in this district in the year under report.

Colonel Grigg, Bara Banki (+ 41), says that badmashes know the excellent standing orders regarding perquisitions of this nature being made as much as possible during the camping season. This, however, does not weaken the utility of the rule as a general one. Colonel Grigg does not state whether this year he has personally disposed of most of these cases; but I have no doubt so zealous an officer has at least carefully supervised all action taken under this useful but dangerous section.

Proceedings against local nuisances.

51. There were 600 persons charged with being concerned in local nuisances during the year 1890, and orders were passed directing the abatement of nuisances in the cases of 333 persons or 55 per cent. of the total number concerned, as against 352 and 296 persons or 84 per cent. respectively in 1889. In Lucknow City 78 persons concerned were all ordered to abate a nuisance, but only 66 persons in Lucknow out of 113 concerned, and 172 persons in Hardoi out of 325 concerned, were so ordered. In Sitapur out of 40 persons concerned only 15 were ordered to abate a nuisance.

IMPERIAL RETURN No. IV. Magisterial work.

62. The number of persons under trial in 1890 was 66,700 as against 62,940 in 1889. A comparative statement showing how they were disposed of in each year is given below:—

	1889.	1890.
Died, escaped or transferred	78	111
Discharged or acquitted	32,955	32,262
Convicted on regular trial	24,199	27,573
Ditto summary trial	3,800	4,631
Committed or referred	736	697
Remaining under trial	1,172	1,426
Average duration of each case (days)	6·50	6·96

The percentage of convictions on the number of persons under trial in 1890 was 48·2 as against 44·4 in 1889, a result which I deem so far satisfactory. As in the previous year, so in the year under report, eight districts were above the provincial average, *viz.*, Lucknow City 67·64 (by far the highest percentage); Unao 55·01; Hardoi 53·83; Fyzabad 53·54; Gonda 53·22; Lucknow 51·87; Bahraich 50·91; and Bara Banki 50·8.

The highest percentages obtained in Tahsildárs' Courts were 69·9 in Unao and 60·10 in Fyzabad; in Native Assistants' Courts in Lucknow City 72· and in European Magistrates' Courts 93·09 in Hardoi and 84·78 in Gonda.

The highest percentages of convictions by Benches of Honorary Magistrates were 75 78 in Rae Bareli and 71·24 in Hardoi.

Honorary Magistrates sitting singly obtained 63·25 percentage of convictions in Lucknow and 50·48 in Hardoi.

The average duration of trials was lower in 1890 in the Courts of Honorary Magistrates sitting singly, and in Tahsildars' Courts, than in 1839.

53. The following statement shows the work disposed of by Deputy Commissioners in 1890 :—

Names of Deputy Commissioners	District.	Period during which charge was held.	Number of cases disposed of. Under their ordinary powers.	Under section 30, Criminal Procedure Code.	Under their summary powers.
Mr F. B Mulock	Lucknow ...	Whole year	14	42	7
„ A W. Shakespear ...	Unao ...	Ditto	18	23	...
Colonel E E. Grigg ...	Bara Banki ...	Ditto	98	58	23
Mr. H. H. Butts	Sitapur ...	Ditto ...	43	54	1
Colonel D. G Pitcher ...	Hardoi ...	1st January to 2nd September . / 12th October to 18th November,	68	80	22
Mr. H V Lovett	Hardoi ...	3rd September to 11th October,	16	9	1
Colonel N M T Horsford ...	Hardoi ...	19th November to 31st December,	1	2	...
„ T. R Cowie	Kheri ...	Whole year	49	49	22
Mr. A. Robinson	Fyzabed ...	1st January to 12th May ... / 7th August to 31st December ...	6	24	3
„ P. Gray	Fyzabed ...	13th May to 8th June ...	2	2	...
„ H. V. Lovett	Fyzabed ...	9th June to 6th August ...	4	7	...
Lieutenant-Colonel W. P. Harrison,	Bahraich ..	1st January to 10th April ..	20	11	8
Mr. H W. Gibson	Bahraich ..	11th April to 31st December ...	54	37	39
Ditto	Gonda ...	1st January to 3rd April ...	21	11	1
Colonel F Barrow	Gonda ...	4th April to 31st December ...	101	24	2
Mr. V. A. Smith	Rae Bareli ...	1st January to 3rd March ...	15	5	3
„ E T. Lloyd	Rae Bareli ...	4th March to 22nd September ...	51	19	18
„ J. Penney	Rae Bareli ...	23rd September to 19th November.	14	3	2
„ C. W. Whish	Rae Bareli ...	20th November to 31st December.	8	4	...
„ P. J. White	Sultánpur ...	Whole year	12	13	...
Colonel T. J. Quin	Partábgarh ...	Ditto	11	27	7
		Total for 1890 ...	708	504	159
		Total for 1889 ...	727	417	180
		Difference ...	−19	+87	−21

It will be seen from the foregoing statement that Deputy Commissioners in 1890 disposed of 47 cases in all more than in 1889.

Though the number of cases tried under their ordinary powers in 1890 shows a decrease of 19 as compared with the figures for 1889, the number of cases tried under section 30, Criminal Procedure Code, shows an increase of 87 on the 1889 figures. Three Deputy Commissioners disposed of a large number of cases under their ordinary powers, *viz.*, Colonel Barrow of Gonda 101 cases, Colonel Grigg of Bara Banki 98 cases and Mr. Mulock of Lucknow 96 cases.

Of the 504 cases disposed of by Deputy Commissioners under their enhanced powers, 320 were disposed of by the following officers, *viz.*, Colonel Pitcher of Hardoi 80 cases, Colonel Grigg of Bara Banki 58 cases, Mr. Butts of Sitapur 54 cases, Colonel Cowie of Kheri 49 cases, Mr. Mulock of Lucknow 42 cases, and Mr. Gibson of Bahraich 37 cases.

54. All the Deputy Commissioners (except Mr. White) have done much more work under the important powers vested in them by section 30, Criminal Procedure Code, than has been hitherto done, and the Commissioners as Sessions Judges acknowledge the immense relief thereby afforded to them. The Commissioner exonerates Mr. White in respect of the paucity of criminal cases tried by him, but it is desirable that Mr. White should at least comply with standing orders requiring 18 such cases per annum.

Pending cases.

55. There were 678 cases pending at the close of 1890 as against 581 pending at the close of 1889. The highest number pending was at Hardoi 118 cases and the lowest at Unao 23 cases.

Duration of trial.

56. The average duration of cases in 1890 was 6·96 days, being a trifle higher than it was in 1889, *viz.*, 6·5 days. The highest averages were Kheri 10·47 days, and Lucknow 9·04 days; the lowest average 4·59

days was at Unao. The following statement shows the highest and lowest averages in the different classes of courts :—

Classes of Courts.	Provincial average.	Lowest average.		Highest averages.			
	Days.		Days		Days.		Days.
Benches of Magistrates ...	4 0	Bara Banki,	1·46	Fyzabad,	7 33	Bahraich,	6·8.
Honorary ditto ...	5 42	Gonda,	1 41	Kheri,	12 82	Sitapur,	9·01.
Tahsildárs ...	5·40	Sultánpur,	2·39	Lucknow,	12·60	Kheri,	8 52.
Native Assistants ...	8 81	Sitapur,	6·11	Do,	12 91	Lucknow City,	12 45.
European Assistants ..	7 04	Lucknow,	4 04	Kheri,	15·35	Hardoi,	11 3.
District Magistrates, ordinary jurisdiction.	6 89	Kheri,	1 95	Fyzabad,	18 25	Sitapur,	17·18.
District Magistrates, powers under section 30, Criminal Procedure Code.	11·48	Do,	1·20	Sultánpur	39 23	Unao	18·3.

The Deputy Commissioner of Lucknow, Mr. Mulock, remarks :—

"The increase in average duration is general. I would add that the Census work, "in which all officers shared, interfered much with the expeditious disposal of ordinary "case work."

57. The following comparative statement gives the district percentages of convictions and committals to the total number of persons disposed of during 1889 and 1890 :—

Convictions obtained.

	1889.	1890.	Difference.
Rae Bareli	34 44	45 17	+10·73
Bahraich	42·05	50 91	+ 8 86
Hardoi	44·99	53 83	+ 8·84
Unao	48·06	55 01	+ 6·95
Gonda	46 41	53·22	+ 6·81
Bara Banki	48·2	50 8	+ 2·6
Partábgarh	45 22	47·21	+ 1·99
Fyzabad	51·95	53 54	+ 1·59
Sitapur	44 36	44 98	+ 0·62
Lucknow City	67 66	67 64	— 0·02
Kheri	39·	38·	— 1·
Sultánpur	38 60	36 48	— 2·12
Lucknow	55·38	51 87	— 3 51

Eight district percentages are above the provincial average.

Nine districts show an improvement on the previous year's percentage, very marked as regards Rae Bareli, Bahraich, Hardoi, Unao and Gonda. The percentages of the last three districts in the foregoing list show a small decrease as compared with the previous year's percentages.

On the whole, I consider these results to be satisfactory proof of good work on the part of the magisterial tribunals of the province.

58. The following statement shows the amount of work performed by the several classes of Magistrates during 1889 and 1890 :—

Classes of Courts.	1889.		1890.	
	Number of persons disposed of.	Percentage on total number of persons disposed of.	Number of persons disposed of.	Percentage on total number of persons disposed of.
Unpaid Magistrates sitting singly	7,772	12·5	6,950	10·6
Benches of Magistrates	9,495	15·3	9,903	15 1
Local and subordinate paid Magistrates ...	14,558	23 5	13,788	21 1
Full power Magistrates of general jurisdiction { Natives ...	22,731	36·8	24,598	37 6
Full power Magistrates of general jurisdiction { Europeans ...	5,113	8 2	7,722	11 8
Chief Magistrates of districts	1,427	2 3	1,489	2·2
Deputy Commissioners under section 30 Act X of 1882.	672	1·0	824	1 2

Full power Magistrates, both Natives and Europeans, did more work in 1890 than in 1889, and Deputy Commissioners disposed of 824 persons under their enhanced powers as against 672 in 1889 and 374 in 1888.

Unpaid Magistrates.

59. Eleven Honorary Magistrates as detailed below disposed of not less than 100 cases each during 1890 :—

Munshi Mumtaz Ali Khán, Gonda	401
„ Enayat-ulla Khán, Hardoi	334
„ Ali Bakhsh Khán, Unao	279
Rája Jagmohan Singh, Rae Bareli	273
Maulvi Khalilullah Khan, Kheri	169
Munshi Kalb Ali Khán Bahádur, Unao	149
Rája Rámpal Singh, Partábgarh	124
Munshi Muhammad Yasin, Fyzabad	120

and 30 other Honorary Magistrates also disposed of criminal work.

Benches of Magistrates.

60.. A list is here given of the Benches of Honorary Magistrates which disposed of more than 100 cases each during the year under report :—

Lucknow City	2,517
Fyzabad	997
Sandila	436
Rae Bareli	422
Lakhimpur	309
Sitapur	268
Nawabganj Bara Banki	254

61. The Deputy Commissioner of Lucknow, Mr. Mulock, brings to notice the names of the following gentlemen who have been regular in their sittings on the City Bench :—Babu Sheo Parshád, Haji Nazar Hasan, Rae Murli Monohar, Sah Gobardhan Das, Sirdar Atar Singh, and Haji Sayyid Nazir Hasan. Other district officers acknowledge the assistance rendered by Honorary Magistrates.

Summary trials.

62. During 1890 there were 3,956 summary trials as against 3,045 in 1889. The Lucknow City bench tried 2,200 cases summarily and passed 2,551 appealable sentences, of which five were appealed and four confirmed. The total number of appealable sentences passed in all districts was 2,584, and only those mentioned above were appealed.

References for enhanced punishment.

63. References to Deputy Commissioners for enhanced punishments numbered 533 in 1890, as against 429 in 1889, and of those referred 482 were confirmed, 14 were modified and 37 were reversed.

Reference of certain cases tried under section 30, Act X of 1882.

64. Deputy Commissioners referred 120 sentences to Sessions Judges, out of which two were modified, the remainder being confirmed.

Imperial Returns Nos. V and V-A Punishments.

65. During the year under report 35,317 persons were punished as against 31,293 in the previous year, the increase being 4,024 persons.

	Number of persons punished.		Percentage on total number of punishments.	
	1889.	1890.	1889.	1890.
Transportation	1	...	...	...
Rigorous imprisonment	9,146	10,334	29·2	29·2
Simple ditto	449	482	1·4	1·3
Fine	18,513	19,873	59·1	56·2
Whipping	1,800	2,475	5·7	7·0
Persons ordered to give security	1,384	2,153	4·4	6·0

The extraordinary fact that the percentage of rigorous imprisonment to total punishemnts is exactly the same to a decimal in the two years 1889, 1890 is well worth notice.

66. The percentages of convictions and committals to the number of persons tried by the several classes of Courts during 1889 and 1890 are here given :—

Classes of Courts.		1889.	1890.		Difference.
Unpaid Magistrates sitting singly	... ...	28·37	38 34	+	9·97
Benches of Magistrates	... ...	65 06	62 53	—	2 53
Local and Subordinate paid Magistrates	... ...	35·53	40 61	+	5 08
Full power Magistrates of general jurisdiction. Native	... ...	46 83	53 83	+	7·
Full power Magistrates of general jurisdiction. European	...	56 60	44 17	—	12 43
Chief Magistrates of districts	... ...	79·11	79 85	+	0 74
Deputy Commissioners under section 30, Criminal Procedure Code.	..	75 70	72 81	—	2 89

The improvement in the percentages of Courts of Unpaid Magistrates, Local and Subordinate paid Magistrates and Full power Magistrates—Native—is satisfactory, and was much needed. There is a considerable falling off under the class Full power Magistrates—European, which is not easily accounted for. Of the ten districts at which this latter class of officers is stationed, four show percentages above the average, *viz.*, Lucknow City 66·19, Lucknow 64·65, Bara Banki 56·18 and Fyzabad 49·64. The following percentages are very low: Hardoi 32·31, Unao 31·20, Sitapur 25·94 and Rae Bareli 25·05.

The Deputy Commissioner of Unao, Mr. Shakespear, remarks :—

" European Assistants refer to Mr. Turner, 3rd class Magistrate, only, who deals " with petty cases, many of which may be expected to be false," and Mr. Butts, Deputy Commissioner, Sitapur, writes in the same strain.

Terms of imprisonment.

67. There was an increase of 1,221 in the number of sentences of imprisonment passed in 1890 as compared with the figures for 1889 for 10,816 persons were so sentenced in the first mentioned year. Percentages of terms of imprisonment in 1889 and 1890 were as follows:—

	1889.	1890.
For 15 days and under	17 71	21·2
For 6 months	57 56	53·2
For 2 years	22 23	22·5
Over 2 years	2·4	3·0

The sentences of imprisonment passed on nine boys were commuted to detention in the reformatory school at Bareilly.

Whipping.

68. In 1890 sentences of whipping numbered 2,475 as against 1800 in 1889, the percentages being as under :—

	889.1	1890.
(890 persons) 10 stripes and under	38 6	35 9
(1,170 persons) 20 stripes and under	46 1	47·2
(415 persons) 30 stripes and under	15 2	16·7

For offences which would have entailed other punishments had they been adults, 32 boys were whipped in 1890 as against 31 in 1889. The percentage of whippings calculated on all cases in which the offenders might have been punished with whipping was 19·60 in 1890 as against 21·05 in 1889 and 23 34 in 1888.

69. There seems to be a slight tendency to use this punishment less frequently, but at the same time to give more stripes when this punishment is employed. I think a whipping is a very suitable punishment for petty thefts, and indeed might be generally used in such cases, unless the special circumstances of the offender, *e.g.*, his previous respectability or feeble health should make it impossible to flog him.

Persons fined.

70. The number of persons fined has steadily increased during the past three years, *viz.*, from 18,307 in 1888 and 18,513 in 1889 to 19,873 in 1890. As compared with the figures for the previous year, there was a decrease of 262 persons fined " Rs. 50 and under," and an increase of 1,595 persons fined " Rs. 10 and under" during the year under report.

The Lucknow City bench fined 2,859 persons in 1890 as against 2,328 in 1889.

Fines imposed and realized

71. During the year under report the fines imposed amounted to Rs. 99,274, being Rs. 592 less than in the previous year. Only 78·4 per cent. of the amount imposed was realised as against 84·7 per cent. in 1889.

The district percentages were :—

Sultánpur ...	91 95
Hardoi ...	88 42
Bahraich ...	86 41
Kheri ...	86 13
Rae Bareli ...	85 87
Sitapur ...	83 11
Gonda ...	82·44
Fyzabad ...	82 37
Bara Banki ...	75 73
Partábgarh ...	73 37
Unao ...	70·94
Lucknow City ...	56·78
Lucknow ...	50·57

The eight districts ranging from 91·95 to 82·37 per cent. of realizations show very good results. The Lucknow City Bench realised Rs. 1,767 out of Rs. 1,889 imposed, or 93·54 per cent. It is the results in the other Lucknow Magistrates' Courts that have so greatly reduced the provincial average.

Outstanding fines.

72. At the close of 1890 the aggregate of outstanding fines was Rs. 10,390 as against Rs. 10,416 at the close of 1889. The heaviest outstandings were at Lucknow Rs. 3,601, Bara Banki Rs. 1,385, and Partábgarh Rs. 1,089.

Compensation paid.

73. Out of Rs. 77,883 realised on account of fines Rs. 13,547 or 17·3 per cent. were paid as compensation to injured parties during 1890 as against 19·3 per cent. in 1889.

Habitual offenders.

74. Though a larger number, *viz.*, 1,399 habitual offenders were brought to trial in 1890 than in 1889 when 1,091 such persons were tried, still the percentages of persons who had been convicted once before, and of those who had been convicted more than once were almost identical in both years, *viz.*, 59·1 and 40·9 respectively in 1890 as against 59·4 and 40·6 in 1889. The recurring similarity in the figures is very noticeable.

IMPERIAL RETURN No. VI.

Appeals to Deputy Commissioners.

75. Appeals of 1,274 persons came before Deputy Commissioners in 1890 and were rejected or the sentences were confirmed in the cases of 752 persons or 60·1 per cent. The sentences passed on 193 persons or 15·8 per cent. were modified; on 288 persons or 23 per cent. were reversed; and new trial was ordered or the proceedings were referred to the High Court for revision in the cases of 10 persons. The appeals of 24 persons remained pending at the close of the year, and the average duration of each appeal was 8·79 days.

Revision and supervision.

76. Applications under section 435, Criminal Procedure Code, were made to Deputy Commissioners in 1890 by 472 persons, such applications referring to 1,012 persons as against 531 applications in 1889. Sentences were confirmed or applications were rejected as regards 838 persons or 84·2 per cent. The sentences were reversed or proceedings quashed with regard to 15 persons, and new trial or further enquiry was ordered in the cases of 130 persons. The cases of 16 persons were referred to this High Court and applications connected with 16 persons remained pending at the close of the year.

77. During the year under report Deputy Commissioners called up *suo motu*, 1,493 cases connected with 2,383 persons as against 1,281 cases, 2,509 persons in the previous year. Reference was made to this Court in cases regarding 81 persons. Colonel Grigg of Bara Banki called up no less than 348 cases, and Colonel Quin

of Partábgarh called up 313 cases. Colonel Cowie of Kheri called up 186 cases and 134 cases were called up by Colonel Horsford of Hardoi.

Witnesses examined.

78. Magistrates examined 110,180 witnesses in 1890 being 8,840 in excess of the number examined in 1889. Only 5,254 persons or 94·7 per cent. were detained two days, 77 persons three days and 23 persons not exceeding six days.

Witnesses dieted.

79. The following statement shows a large increase in the number of witnesses dieted in 1890 as compared with the figures for 1889. The average cost of dieting a witness was less in 1890 than in 1889.

	Number of witnesses dieted.	Total cost.	Average cost per witness.	
		Rs.	As.	p
1889 ...	53,202	24,786	7	5
1890 ...	61,404	27,972	7	4

Six districts exceed the provincial average, *viz.*, Fyzabad + 2 annas 11 pies, Gonda + 1 anna 5 pies, Sitapur + 9 pies, Kheri + 6 pies, Rae Bareli + 3 pies and Bahraich + 2 pies.

80. When the general low standard of comfort prevalent among the lower classes is remembered, the necessity for paying witnesses their actual expenses is not a matter for doubt. Even as it is appearance in court as a witness is frequently evaded if possible.

Weeding records.

81. Under the head of weeding, rearranging and destroying papers the Lucknow district shows best, as 9,501A. files and 3562B. files were dealt with in 1890. The work done in other districts calls for no special remark.

I agree with the Commissioner, Lucknow Division, in his remark as to the inconvenience caused by criminal records being kept according to "class of crime" and instructions have been issued that they are to be kept according to police circles.

IMPERIAL RETURN No. IV.
Sessions Courts.

82. A comparative statement of the cases tried by Sessions Judges during 1889 and 1890 is here given :—

Sessions Courts.	Disposed of				Pending at the close of				Average duration of each case from date of commitment.	
	1889.		1890.		1889.		1890.			
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons	Cases.	Persons.	1889.	1890.
									Days.	Days.
Lucknow .	99	232	89	136	8	12	13	20	59	46
Do. additional,	25	42	27	39	1	1	2	2	51	59
Sitapur ..	97	146	68	113	14	25	14	24	44	48
Fyzabad ...	81	144	75	135	9	14	10	20	56	54
Rae Bareli ..	57	105	62	107	6	7	6	14	56	48

There were 45 cases pending at the close of 1890 as against 38 at the close of 1889.

Out of 15 cases pending at Lucknow, 14 were received in December and could not be fixed for hearing before the close of the year. In Sitapur two of the pending cases relate to accused who are lunatics, and 11 cases were committed in November and December, too late for hearing to be fixed before the close of the year.

There was a decrease of 13 days in the Court of the Commissioner, Lucknow in the average duration of Sessions trials in 1890, as compared with the average for 1889, and a similar decrease of eight days is shown in the Court of the Commissioner, Rae Bareli Division.

IMPERIAL RETURN No. V. Punishment.

83. The following sentences were passed by Sessions Judges during 1889 and 1890 :—

	1889.	1890.
Death	30	42
Transportation	128	154
Rigorous Imprisonment	230	179
Simple ditto	4	3
Fine	41	19
Whipping	8	9

The total amount of fines realized in Sessions Courts during the year under report was Rs. 1,390, though only Rs. 710 were imposed in 1890. A question was asked by the Government as to the difference in the number of sentences of penal servitude in 1888 and 1889. Forty-two cases of penal servitude were erroneously entered in the return for 1888. They should have been entered as sentences of transportation. Penal servitude is only applicable to Europeans and Americans.

IMPERIAL RETURN No. XIII. Trials by jury and with assessors.

84. In 1890, the Lucknow Sessions Judge tried 32 cases by jury, and approved the verdict in 31 cases. In 1889, cases tried by jury numbered 23.

85. Sessions Judges tried 262 cases in 1890 with the aid of assessors and in 215 or 82 per cent. they agreed with the assessors in their findings. In the previous year 305 cases were so tried.

Witnesses examined.

86. Out of 3,672 witnesses examined by Sessions Judges in 1890, diet money was paid to 3,275 persons. The total amount disbursed as diet money and travelling expenses came to Rs. 4,884, the average cost per witness being Re. 1-7-10 as against Re. 1-10-6 in 1889.

IMPERIAL RETURN No. VI. Appeals.

87. Sessions Judges had before them during the year under report appeals of 3,011 persons, being 176 more than in 1889. Appeals were rejected or sentences were confirmed in the cases of 2,497 persons on nearly 84 per cent. The sentences passed on 148 persons were modified, and were reversed in the cases of 309 persons. One proceeding was quashed and two were referred to this Court. New trial or further enquiry was ordered in the cases of 20 persons, and the appeals of 29 persons remained pending at the close of the year.

The average duration of each appeal was 11·27 days as against 10·47 days in 1889. The highest average duration, 15 days, was in the Court of the Commissioner, Lucknow Division, and the lowest average duration, 8 days, was in the Court of the Commissioner, Fyzabad Division.

Revision.

88. Sessions Judges had before them applications from 250 persons in 1890 as against 256 in 1889, and the persons concerned numbered 404 as against 411 in 1889.

With regard to 323 persons or 81 per cent. the applications were rejected or sentences were confirmed. One sentence was reversed : new trial or further enquiry was ordered in the cases of 46 persons, and proceedings regarding 27 persons were referred to this High Court. Applications of 14 persons remained pending at the close of the year.

89. Eleven files connected with 14 persons were called up *suo motu* by the Commissioner, Fyzabad Division, and five cases were referred to this Court. The Commissioner, Rae Bareli Division called up *suo motu* 15 files involving 17 persons. None of the cases were referred to the Judicial Commissioner.

Court of Judicial Commissioner, Oudh.

90. The Judicial Commissioner disposed of the cases connected with 817 persons during 1890, *viz* :—

	Persons.
Report for confirmation of capital sentence	44
Appeals	383

Revision side.

Applications by parties	... ...	196
References by Commissioners and Deputy Commissioners	... ...	154
Cases called for *suo motu* by the Judicial Commissioner	... ...	35
	Total ...	817

The death sentences passed upon 30 persons were confirmed : 9 persons had their sentences commuted to transportation for life, and one person to transportation for a term of years. Four persons were acquitted.

91. The office of Judicial Commissioner was held by :—

Mr. W. Young from 1st January to 27th March 1890.
Ditto „ 11th December to 31st December 1890.
„ J Dyson „ 28th March to 29th April 1890.
Ditto „ 31st July to 10th December 1890.
„ W. R Burkitt „ 30th April to 30th July 1890.

and the office of Additional Judicial Commissioner was held by :—

Mr. J. Dyson from 1st January to 27th March 1890.
Ditto „ 11th December to 31st December 1890.
„ W. R. Burkitt „ 1st April to 29th April 1890.
Ditto „ 31st July to 10th December 1890.

I have the honor to be,
SIR,
Your most obedient servant,

W. YOUNG,
Judicial Commissioner.

IMPERIAL RETURN No. I.—(Civil, Criminal, and Rent).

Showing the number of judicial divisions and the number of officers exercising original or appellate jurisdiction in the Province of Oudh, on the last day of the year 1890, with the cost of tribunals.

Name of Province.	Area.	Population.	Number of divisions for Courts under chief Court, but superior to chief Courts of districts.	Number of district.	Number of sub-districts	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
						Judges of chief Court of Province.	Judges of other Courts superior to chief District Courts.	Judges of chief Courts of districts	Judges of District Courts other than chief Courts.	Judges of other subordinate Courts	Original.		Appeals.				
											Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Territory subject to the Judicial Commissioner of Oudh. — Civil	23,092 square miles.	11,407,626.	4 divisions	12 districts.	...	2	4	5	12	26	61,432	23,454	3,063	748	11,02,276	15,69,943	
Criminal								12	62	165	36,172	1,988	4,054	1,023			
Revenue (Rent)											33,966	17,339	3,070	375			
Charges incurred by the Public Works Department on account of buildings.								...	...	...	...	...	...	...	...	20,336	
Total ...	...	...	...	...	...	2	4	17	74	188	1,31,570	42,781	10,193	2,146	1,102,276	15,90,279	

Grades of Judicial Officers.		European	Native.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioners .	2	...
	District Judges ...	3	1
	Additional Judges ...	1	...
	Sub-Judges ...	1	11
Officers exercising original jurisdiction only.	Small Cause Court Judges. ...	...	1
	Munsifs ...	...	25

For Home, Revenue and Agricultural Department.

	European.	Native.
Judicial Commissioners	2	...
Commissioners	4	...
Deputy Commissioners	12	...
District Judges	4	1
Subordinate Judges	1	11
Assistant Commissioners	11	1
Assistant Settlement Officer	1	...

	European	Native.
Extra Assistant Commissioners	2	46
City Magistrate	1	...
Cantonment Magistrates	2	...
Tahsildárs	...	43
Munsifs	...	25
Judges, Small Cause Court	...	1
Honorary Assistant Commissioners	4	113
Total ...	44	241

IMPERIAL RETURN No. II.—(CRIMINAL.)

Statement of offences reported and persons tried, convicted and acquitted of each class of offence in the Province of Oudh in the year 1890.

Description of offence.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons. Under trial during the year including pending from previous year.	Acquitted or discharged	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Offences against the State, chapter VI of the Indian Penal Code ...	...	...	...	...	...	...	...	...	
Ditto relating to the Army and Navy, chapter VII. ...	1	1	1	1	...	1	...	...	
Ditto against the public tranquillity, chapter VIII. ...	534	328	349	1,927	759	1,076	4	88	
Ditto by or relating to public servants, chapter IX. ...	90	65	65	82	40	40	...	2	
Contempt of the lawful authority of public servants, chapter X. ...	722	645	670	1,237	450	750	4	33	
False evidence and offences against the public justice, chapter XI. ...	637	532	547	748	318	394	6	30	
Offences relating to coin and Government stamps, chapter XII. ...	97	85	88	96	32	61	...	3	
Ditto to weights and measures, chapter XIII. ...	54	48	48	64	30	34	...	...	
Ditto affecting the public health, &c., chapter XIV. ...	341	299	301	527	102	424	1	...	
Ditto relating to religion, chapter XV. ...	62	27	28	58	33	21	...	4	
Offences affecting the human body, chapter XVI. — Offences affecting life ...	648	590	627	809	226	509	3	71	
Causing of miscarriage, injury to unborn children, exposure of infants and the concealment of births.	74	68	69	92	32	60	...	...	
Hurt ...	11,190	7,076	7,224	15,787	12,488	2,891	7	391	
Wrongful restraint and wrongful confinement ...	341	120	120	280	213	52	...	15	
Criminal force and assault ...	3,510	2,155	2,188	4,373	3,388	871	3	111	
Kidnapping or forcible abduction, slavery, forced labor and buying or selling a minor for the purpose of prostitution.	148	52	53	100	45	49	...	6	
Rape ...	72	43	45	46	20	22	...	4	
Unnatural offence ...	40	37	38	41	11	25	...	5	
Offences against property, chapter XVII. — Theft ...	7,706	6,135	6,190	8,500	2,133	6,247	19	101	
Extortion ...	209	56	60	100	69	27	...	4	
Robbery and dakaiti ...	258	158	161	370	163	178	...	29	
Criminal misappropriation of property ...	113	75	75	94	25	69	...	...	
Ditto breach of trust ...	326	204	216	255	105	136	4	10	
Receiving stolen property ...	1,124	1,090	1,114	1,632	446	1,153	7	26	
Cheating ...	317	126	131	183	115	57	1	10	
Fraudulent deeds and disposition of property ...	9	2	2	3	2	1	...	...	
Mischief ...	1,533	933	957	1,973	1,532	374	1	66	
Criminal trespass ...	4,718	3,272	3,329	5,413	2,337	2,872	12	192	
Offences relating to documents and to trade or property marks, chapter XVIII. ...	71	37	45	63	36	20	...	7	
Criminal breach of contracts of service, chapter XIX. ...	8	4	4	5	4	1	...	...	
Offences relating to marriage, chapter XX. ...	1,381	854	882	1,106	840	196	11	50	
Defamation, chapter XXI. ...	305	140	143	221	198	19	...	4	
Criminal intimidation, insult and annoyance, chapter XXII. ...	293	134	136	241	177	51	2	11	
Offences under the Criminal Procedure Code and offences against special and local laws ...	12,050	10,207	10,286	20,337	6,017	14,054	26	240	
Total ...	49,342	35,598	36,192	66,764	32,405	32,735	111	1,513	

JUDICIAL STATEMENT

Showing the general result of the trial of European British subjects

Description of offences.	Number of persons accused and brought before a Magistrate.						Died, escaped or transferred to other Province.	Number actually brought to trial.	Persons whose cases were															
	Remaining at the close of the previous year.	Within the year.							By District Magistrate and other 1st class Magistrates.							By Courts of Sessions.					By High Court.		
		On complaint, section 191 (a), Criminal Procedure Code.	On police report, section 191 (b), Criminal Procedure Code.	By Magistrate *suo motu*, section 191 (c) of the Code.	On transfer from other Provinces.	Total.			Received by transfer under section 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Session.	Committed. To High Court.	Transferred by order under section 451 (b) of the Code.	Total, omitting entries in columns 10 and 15.	Received by transfer under section 451 (b) of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 439 of the Code.	Total exclusive of column 17.	Convicted.	Acquitted or discharged.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Public servant obtaining any valuable thing without consideration from person concerned in any proceeding or business transacted by such public servant, section 165, Indian Penal Code.	...	..	...	1	...	1	...	1	...	...	...	...	1	...	1	...	...	...	...	..	...	...	...
Public servant unlawfully buying or bidding for property, section 169, Indian Penal Code. Using evidence known to be false, section 196, Indian Penal Code. Forgery, section 465, Indian Penal Code...	...	1	...	...	...	1	...	1	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...
Negligence with respect to any animal, section 289, Indian Penal Code.	...	...	1	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...
Voluntarily causing hurt, section 323, Indian Penal Code.	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...
Voluntarily causing grievous hurt, section 325, Indian Penal Code.	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Using criminal force otherwise than on grave provocation, section 352, Indian Penal Code.	...	2	...	...	...	2	...	2	...	2	...	...	...	...	2	...	...	...	...	...	...	...	...
Using criminal force to deter a public servant from discharge of his duty, section 353, Indian Penal Code.	...	...	1	..	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Theft, section 379, Indian Penal Code ...	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Criminal breach of trust, section 406, Indian Penal Code.	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...	...	...	...
Intentional insult with intent to provoke a breach of the peace, section 504, Indian Penal Code.	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Nuisance, section 34, Act V of 1861 ...	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Security for keeping the peace, Chapter VIII, section 107, Indian Penal Code.	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Selling spirits to European soldiers, section 18, Act XIII of 1880.	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Breach of Railway Rules, section 20, Act IX of 1890.	...	...	1	...	...	1	...	1	...	1	...	...	..	...	1	...	...	...	...	...	...	...	...
Total ...	...	8	7	1	...	16	...	16	...	10	4	...	2	...	10	...	..	...	...	...	...	...	...

No. IIA.—(Criminal).

in the Courts of the Province of Oudh during the year 1890.

disposed of.				Number of cases.						SUBSIDIARY TABLE.										
Total for all Courts.																				
Convicted.	Acquitted or discharged.	Total.	Number of persons under trial.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court from order under section 456 of the Code.	Of those entered in column 2, number who applied, under section 21, Act III of 1864, for transfer or commital of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.	35							36			
										Of the total number of persons shown in—							Of cases shown in column 30.			
										Column 16.			Column 21.		Columns 21 and 22.		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
										Number who claimed to be tried by a mixed jury, section 451A. (1) of the Code.	Number who did not so claim.	Number of those in column 35 (1) whose cases were transferred under section 451 of the Code.	Number who claimed a mixed number of assessors, section 451 (2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, section 451 (1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
25	26	27	28	29	30	31	32	33	34	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
...	...	...	...	1	1	...	...	...	...	...	...	...	...	...	...	...	15	...	...	...
...	...	...	...	1	1	...	...	...	...											
...	1	1	...	1	1	...	...	...	...											
...	1	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
2	...	2	...	2	2	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
...	2	2	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
10	4	14	...	15	15	...	...	...	...											

IMPERIAL RETURN No. III.—(CRIMINAL.)

Statement of miscellaneous proceedings under the Code of Criminal Procedure of Oudh, during the year 1890.

Nature of proceedings.	Total number of cases before the Courts during the year.	Number of persons concerned	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1. Proceedings against witnesses under chapter VIC. and section 485 of chapter XXXV	2	2	2	...	
2. Proceedings under chapter VIII. to prevent breach of the peace	748	2,921	1,161	1,094	
3. Proceedings under chapter VIII, security for good behaviour	448	664	157	487	
4. Proceedings against local nuisances, chapter X	203	600	215	333	
5. Possession, chapter XII	60	133	59	68	
6. Frivolous or vexatious complaints summarily dealt with under chapter XX., section 250	139	145	...	145	
7. Non attendance of jurors or assessors, chapter XXIII, section 332	6	15	8	7	
8. Maintenance, chapter XXXVI	757	757	576	167	
9. Forfeiture of bail or recognizance under chapter XLII.	48	62	9	53	
Total	2,411	5,299	2,187	2,954	

IMPERIAL RETURN No. IV.—(CRIMINAL.)

Statement showing the general result of criminal trials in the tribunals of various classes in the Province of Oudh in the year 1890.

Classes of Courts.	Total number of persons under trial.	Died, escaped or transferred to another Province.	Persons whose cases were disposed of.				Persons remaining under trial at the end of the year.	No. of cases disposed of during the year.	Average No of days during which each case lasted.	No. of witnesses examined.	Remarks.
			Discharged or acquitted.	Convicted.		Committed or referred.					
				On regular trial.	On summary trial.						
1	2	3	4	5	6	7	8	9	10	11	12
Unpaid Magistrates sitting singly	7,121	8	4,277	2,627	34	4	171	3,757	5·42	10,923	
Benches of Magistrates	9,975	5	3,705	3,649	2,544	...	72	5,411	4.	4,859	
Local and Subordinate paid Magistrates	14,071	13	8,175	5,600	...	...	283	6,720	5·40	14,093	
Full power Magistrates of general jurisdiction. Natives	25,257	77	11,278	11,487	1,338	418	659	13,986	8·81	57,434	
Full power Magistrates of general jurisdiction. Europeans	7,911	5	4,306	2,800	519	92	189	4,358	7·64	14,940	
Chief Magistrates of Districts	1,513	2	298	944	196	49	24	708	6·89	3,215	
Deputy Commissioners under section 30, Act X., 1882 ...	852	1	223	466	...	134	28	504	11·48	3,530	
Total Magistracy ...	66,700	111	32,262	27,573	4,631	697	1,426	35,444	6·96	108,994	
Commissioners (Sessions)	612	2	142	346	...	42	80	321	50·14	3,672	

IMPERIAL RETURN No. V.—(Criminal).

Showing the punishments inflicted by the various criminal tribunals in the Province of Oudh in the year 1890.

Classes of Courts.	Persons sentenced to— Death.	Transportation.	Penal servitude.	Imprisonment. Rigorous.	Imprisonment. Simple.	Forfeiture of property.	Fine.	Whipping.	Persons ordered to find or give security or recognizance to keep the peace or securities for good behaviour.	Persons imprisoned in default of security for good behaviour.	Detail of punishment. Fine. Rs 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs 500 and under.	Rs 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realized during the year.	Amount paid by way of compensation.	Imprisonment. 15 days and under.	6 months and under	2 years and under.	7 years and under.	Above 7 years.	Whipping. 10 stripes.	20 stripes.	30 stripes.	Number of boys whose sentences were commuted to detention in a reformatory school
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. a. p.	Rs. a. p.	Rs. a. p.									
Honorary Magistrates sitting singly.	...	...	...	916	99	..	1,399	203	6	...	1,267	131	1	..	...	...	7,091 11 3	6,275 0 6	989 10 9	360	556	9	...	..	70	80	53	...
Bench Magistrates ...	...	...	...	290	12	...	6,284	20	...	...	6,229	55	..	..	...	...	5,486 7 6	5,189 13 4	267 2 0	88	202	12	...	...	9	9	2	...
Stipendiary Magistrates sitting singly.	...	...	...	8,216	350	.	11,881	1,784	1,980	290	10,443	1,335	76	23	4	...	80,912 2 3	63,219 5 6	11,133 4 8	1,763	4,678	2,110	15	...	604	962	218	7
District Courts—Cases decided under section 30, C.P.C.	..	...	...	455	4	..	74	66	...	..	16	45	9	4	...	...	3,021 14 0	1,086 1 6	656 2 9	10	37	110	302	...	4	20	4	...
Chief Magistrates of Districts.	..	...	...	457	17	.	235	402	167	120	173	58	3	1	.	...	2,761 15 0	2,113 0 8	501 0 0	55	238	175	6	..	203	99	100	2
Total ...	..	...	...	10,334	482	...	19,873	2,475	2,153	410	18,128	1,624	89	28	4	...	99,274 2 0	77,883 5 6	13,547 4 2	2,276	5,711	2,416	323	..	890	1,170	415	9
Courts of Sessions—Commissioners.	42	154	...	179	3	..	19	9	...	...	7	9	2	1	..	...	710 0 0	1,390 0 0	...	..	29	43	93	17	...	1	8	1

IMPERIAL RETURN No. V.A.—(Criminal).

Part I.

Showing whippings inflicted under sections 2 and 3, Act VI., 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	1st Conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
IN LIEU OF OTHER PUNISHMENTS (Sections 2 and 3, Act VI., 1864.)														
1. Theft as defined in ... Secs. 376, I. P. C. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
" 377 " ...	...	...	...	...	...	...	2	...	...	...	...	...	2	
" 378 " ...	118	9	375	3	294	8	206	6	36	2	33	11	1,101	
" 380 " ...	23	...	93	3	83	1	65	2	9	...	8	3	290	
" 381 " ...	...	...	8	1	31	...	5	1	2	6	1	...	55	
" 382 " ...	...	...	2	...	...	...	...	...	1	...	...	...	3	
2. Extortion as defined in ... " 388 " ...	...	...	...	...	...	...	...	...	...	...	1	...	1	
" 389 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
3. Punishment for robbery ... " 392 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
4. Dishonest misappropriation of property as defined in " 403 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
5. Criminal breach of trust as defined in " 406 " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
6. Dishonestly receiving stolen property as defined in " 411 " ...	7	...	53	...	63	5	43	...	21	2	22	1	217	
" 412 " ...	...	...	1	...	...	...	1	...	...	...	...	...	2	
7. Lurking house-trespass as defined in " 443 " ...	1	...	2	...	6	...	9	...	...	...	...	...	18	
8. Lurking house-trespass by night as defined in " 444 " ..	2	...	13	...	20	...	17	1	17	...	28	3	101	
" 445 " ...	1	...	6	...	6	...	2	...	...	...	...	...	15	
9. House breaking as defined in ... " 446 " ...	4	...	4	1	5	...	8	...	17	...	7	...	46	
10. House-breaking by night as defined in " 446 " .	...	..	33	1	65	3	28	...	9	...	13	3	155	
Offences under Section 457, Indian Penal Code ..	1	...	16	...	17	...	7	...	1	...	2	...	44	
Ditto Act XXVII., 1871, Section 19	...	...	4	...	...	...	1	...	...	...	6	...	11	
Ditto Act III, 1880, Sections 14 and 325 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Ditto Section 126, Act IX. of 1890	1	...	...	...	...	...	...	...	...	...	...	...	1	
Theft as defined in Section 379, Indian Penal Code ...	4	...	39	...	19	...	11	...	1	...	1	1	76	
House-breaking by night as defined in Sections 454 and 457, Indian Penal Code.	...	...	...	...	3	...	2	...	2	...	...	1	8	
Total ...	162	9	649	9	612	17	407	10	116	10	122	23	2,146	

IMPERIAL RETURN No. V.A.—(Criminal).

Part II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI., 1864.

Offences for which awarded.	Number of stripes. 5 and under.	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1	2	3	4	5	6	7	8	9
IN ADDITION TO OTHER PUNISHMENTS.								
(Sections 3 and 4).								
A.—Section 3.								
1. Theft as defined in ... ... Sec. 378, I P C.	1	13	23	17	5	25	84	
" 379, " ...	...	.	1	4	...	6	11	
" 380, " ...	...	10	5	9	2	4	30	
" 381, " ...	...	...	...	...	...	...	...	
" 382, " ...	...	...	...	...	...	...	...	
2. Extortion as defined in ... ... " 388, " ...	...	...	...	...	...	...	...	
" 389, " ...	...	...	...	...	...	...	...	
3. Dishonestly receiving stolen property as defined in ... ... " 411, " ...	...	...	4	1	1	5	11	
" 412, " ...	...	...	...	...	...	...	...	
4. Lurking house-trespass as defined in ... " 443, " ..	...	...	...	3	...	...	3	
5. Lurking house trespass by night as defined in ... ... " 444, " ...	...	...	2	3	3	8	16	
6. House-breaking as defined in ... ... " 445, " ...	...	2	...	9	4	1	16	
7. House-breaking by night as defined in ... " 446, " ...	...	1	7	5	1	8	22	
8. Offences under section 14, Act III. 1880	...	...	...	...	...	...	...	
B.—Section 4.								
1. False evidence as defined in ... ... Sec. 193, I P.C.	...	...	...	...	...	...	...	
" 194, " ...	...	...	...	...	...	...	...	
" 195, " ...	...	...	...	...	...	...	...	
2. False charge of unnatural offences defined in ... ... " 211, " ...	...	...	...	...	...	...	...	
" 377, " ...	...	...	...	...	...	...	...	
3 Assault as defined in ... ... " 354, " ...	...	...	...	...	...	...	...	
4. Rape as defined in ... ... " 375, " ...	...	...	...	...	...	...	...	
5. Unnatural offence as defined in .. " 377, " ...	...	...	...	...	...	...	...	
6. Robbery as defined in ... ... " 390, " ...	...	...	...	...	...	1	1	
7. Dakaiti as defined in ... ... " 391, " ...	...	...	...	...	...	...	...	
8. Attempt at robbery as defined in ... " 393, " ...	...	...	...	...	...	...	...	
9 Hurt in committing robbery as defined in " 394, " ...	...	...	...	...	...	...	...	
10. Receiving stolen property as defined in ... " 413, " ...	...	...	...	...	...	...	...	
11. Forgery as defined in ... ... " 463, " ...	...	...	...	...	...	...	...	
11. Forgery as defined in ... ... " 466, " ...	...	...	...	...	...	...	...	
" 467, " ..	...	...	...	...	...	...	...	
" 468, " ..	...	..	...	...	...	...	...	
" 469, " ...	...	...	...	...	...	...	...	
12. Lurking house-trespass as defined in ... " 443, " ...	...	...	...	...	...	1	1	
13. " by night as defined in ... " 444, " ...	...	...	...	...	1	5	6	
14. Lurking house-trespass as defined in ... " 445, " ...	...	1	...	...	...	...	1	
15. House-breaking by night as defined in ... " 446, " ...	...	...	...	1	...	...	1	
Offences under section 19, Act XXVII., 1871	1	9	8	3	...	61	82	
House-breaking by night as defined in section 457, I P.C. ...	...	...	3	1	...	2	6	
Total ...	2	36	53	56	17	127	291	

IMPERIAL No. VA.—(Criminal.)

Part III.

Showing whippings inflicted under section 5, Act VI., 1864, on juveniles for offences other than those specified in Parts I and II.

Offences.	Stripes.												Total.	Remarks.
	5 & under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Section 20, Act VI. of 1878	...	...	...	...	2	...	...	...	...	...	...	...	2	
Criminal breach of trust by a clerk or servant, under section 408, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Punishment for cheating, section 417, I. P. C....	...	...	...	...	...	...	1	...	...	...	...	...	1	
Voluntarily causing hurt, " 323 " ...	...	...	...	...	1	...	1	...	...	...	...	...	2	
Punishment for voluntarily causing hurt by dangerous weapons or means, " 324 " ...	...	...	...	...	1	...	3	...	...	...	...	...	4	
Punishment for voluntarily causing grievous hurt, " 325 " ...	...	...	1	...	1	...	...	...	...	...	...	...	2	
Dakaiti as defined in, " 395 " ...	...	...	...	...	...	...	...	...	...	...	1	..	1	
Assault or use of Criminal force to a woman with intent to outrage her modesty, " 354 " ...	...	...	...	...	...	...	1	...	...	...	...	...	1	
Criminal breach of trust, " 406 " ...	...	...	...	...	...	...	...	...	1	...	...	...	1	
Rape, " 376 " ...	...	...	...	...	...	...	1	...	...	...	2	...	3	
Unnatural offences, " 377 " ...	...	...	1	...	1	...	1	...	...	...	2	...	5	
Delivery of Queen's coin possessed with the knowledge that it is altered, " 254 " ...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Dishonest misappropriation of property, " 403 " ...	...	...	...	...	...	...	1	...	...	...	...	..	1	
Rioting, " 147 " ...	...	...	...	...	1	...	1	...	...	...	...	...	2	
Mischief by fire, " 436 " ...	...	...	1	...	...	...	...	...	...	...	...	..	1	
Lurking house-trespass or house breaking by night in order to the commission of an offence punishable with imprisonment, " 457 " ...	1	...	.	...	1	...	...	...	...	...	...	...	2	
Attempt to commit suicide " 309 " ...	1	...	1	..	...	...	...	...	...	...	...	...	2	
Total ...	3	...	4	...	9	...	10	...	1	...	5	...	32	

IMPERIAL RETURN No. VA.—(CRIMINAL.)

PART IV.

Showing relative number of times whipping was awarded as compared with other punishments.

Punishments	Number.	Remarks.
1	2	3
1. *Total number of whippings awarded ...	2,469	Should be 2,484, the discrepancy is caused by difference of 15 between the totals of Returns Nos. V and V.A. of Sultanpur district.
2. †Total number of other punishments ...	10,358	
†Percentage of whippings	19 24	

* Total of column 14, Parts I. and III. and of column 8, Part II.

† Not counting punishments of which whipping was a part, but including all cases in which whipping might have been inflicted.

IMPERIAL RETURN No. VI.—(CRIMINAL).

Showing the result of appeals and revisions in Criminal cases in the Province of Oudh during the year 1890.

Tribunals.	Total number of appellants and applicants before the Courts.	Number of persons.										Average number of days during which each appeal lasted.	Remarks.
		Died, escaped or transferred to another Province.	Appeals or applications rejected.	Sentences or order confirmed.	Sentences enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiries ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of Districts ...	1,274	7	68	684	...	193	288	...	8	2	24	8 79	
To Sessions Courts	3,011	5	1,426	1,071	...	148	309	1	20	2	29	11·27	
Superior Courts ... By persons convicted,	394	...	130	195	...	36	27	...	...	...	6	22 37	
Superior Courts ... By Government ...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	4,679	12	1,624	1,950	...	377	624	1	28	4	59	11·75	
Revisions.													
By Chief Magistrates of Districts ...	112	...	644	194	...	...	6	9	130	16	16	10 39	338 applications by 360 complainants against 903 accused.
By Courts of Sessions	178	...	252	71	...	...	1	...	46	27	14	11 67	80 „ „ 79 „ „ 238 „
By Superior Courts	289	...	93	144	16	49	52	14	17	...	13	15·70	53 „ „ 55 „ „ 109 „
Total ...	579	...	989	409	16	49	59	23	193	43	43	12 80	471 „ „ 404 „ „ 1,245 „

IMPERIAL RETURN No. XIII.—(CRIMINAL.)

Statement showing of the use of jurors, and assessors in the Criminal Courts in the Province of Oudh for the year 1890.

Classes of Courts in which assessors are employed distinguishing Criminal from Civil Courts.	Established or average number of jurors or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases tried with assessors.	Jury trials.					Assessors trials.			Remarks.
				Cases in which the Judge approved of the verdict	Cases in which the Judge did not approve of the verdict.		Number of persons of the verdict in respect to whom the Judge disapproved.		Number of cases in which Judges agreed with assessors	Number of cases in which Judges differed from		
					Wholly.	Partially.	Whose cases he referred under section 263, Criminal Procedure Code.	Whose cases he did not refer under section 263, Criminal Procedure Code.		One assessor.	Both assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Commissioner, Lucknow Division and Additional Sessions Judge, Lucknow.	5 jurors ...	32	...	31	1	...	5	...	...	...	...	
	2 assessors ...	...	77	...	...	...	...	...	62	4	11	
Commissioner, Sitapur Division	2 assessors ...	...	59	...	..	...	...	...	52	2	5	
Ditto, Fyzabad Division	2 do. ...	...	68	...	...	...	...	...	50	7	11	
Ditto, Rae Bareli Division	3 do. ...	...	58	...	...	...	...	...	51	3	4	
Total ...	...	32	262	32	1	...	5	...	215	16	31	

A.—*Showing in detail for each class the number of persons convicted in* 1890.

Districts.	Offences against the State and relating to the Army and Navy, chapters VI and VII, Indian Penal Code.	Offences against the public tranquillity, chapter VIII.	Offences by and relating to public servants, chapters IX and X.	Offences against public justice and false evidence, chapter XI.	Offences relating to coin, stamps, weights and measures, chapters XII and XIII.	Offences affecting public health, &c., and religion, chapters XIV and XV	Offences affecting the human body, chapter XVI.	Offences against property, chapter XVII	Miscellaneous offences under the Penal Code, chapters XVIII to XXII.	Total offences under the Penal Code.	Offences under the Code of Criminal Procedure and under special laws.	Grand Total.
Lucknow City ...	...	20	12	25	6	203	154	407	31	918	2,869	3,787
Lucknow	...	79	13	9	1	14	232	486	24	858	585	1,443
Unao	...	47	37	14	1	9	338	811	5	1,262	781	2,043
Bara Banki	..	101	78	42	8	30	426	1,021	25	1,731	930	2,661
Sitapur	...	58	59	26	6	11	365	1,087	14	1,626	630	2,256
Hardoi	1	177	208	55	15	39	226	1,255	44	2,520	1,571	4,091
Kheri	...	39	41	35	7	36	293	1,041	12	1,504	230	1,734
Fyzabad	...	145	39	18	4	33	458	917	29	1,643	2,431	4,074
Bahraich	...	53	31	20	2	8	292	1,049	18	1,473	602	2,075
Gonda	..	118	115	24	10	2	265	875	9	1,418	988	2,406
Rae Bareli	...	27	34	45	12	14	310	699	25	1,166	1,245	2,411
Sultánpur	...	123	91	46	15	7	306	629	24	1,237	814	2,051
Partábgarh	...	89	32	35	8	39	314	781	27	1,325	378	1,703
Total ...	1	1,076	790	394	95	445	4,479	11,114	287	18,681	14,054	32,735

B.—*Showing the number of cases brought to trial during the year, disposed of, and pending in the Courts of Session and the Courts of Magistrates in* 1890.

Districts.	Courts of Session.			Courts of Magistrates.			Remarks.
	Brought to trial.	Disposed of.	Pending.	Brought to trial.	Disposed of	Pending.	
Lucknow City ...	...	...	...	3,483	3,433	50	
Lucknow	66	61	5	1,579	1,549	30	
Unao	39	33	6	1,969	1,946	23	
Bara Banki	26	22	4	2,980	2,937	43	
Sitapur	28	22	6	2,850	2,800	50	
Hardoi	26	22	4	3,758	3,640	118	
Kheri	28	24	4	2,865	2,770	95	
Fyzabad	26	25	1	3,691	3,609	82	
Bahraich	26	24	2	2,267	2,205	62	
Gonda	32	26	6	2,882	2,828	54	
Rae Bareli	37	35	2	2,969	2,931	38	
Sultánpur	19	15	4	2,718	2,670	48	
Partábgarh	15	12	1	2,162	2,126	36	
Total ...	366	321	45	36,173	[illegible],444	729	

C.—*Showing the number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during the year* 1890.

Districts.	Frivolous or vexatious complaints summarily dealt with under chapter XX, section 250	Proceeding against witnesses under chapter VI and section 485 of chapter XXXV.	Forfeiture of bail or recognizance under chapter XLII.	Non attendance of jurors or assessors, chapter XXIII., section 332.	Contempt of Court under chapter XXXV, section 480.	Proceedings under chapter VIII to prevent breach of peace.	Proceedings under chapter VIII, security for good behaviour.	Proceedings against public nuisances, chapter X.	Possession, chapter XII and section 522 of chapter XLIII.	Maintenance, XXXVI.	Total of persons.
City Lucknow .	3	...	2	...	...	58	78	78	4	153	359
Lucknow ...	7	...	1	9	...	29	5	113	1	30	195
Unao	14	...	2	...	...	84	10	...	2	14	126
Bara Banki	17	...	7	...	...	561	68	1	9	75	738
Sitapur	1	...	6	3	...	116	54	40	14	78	312
Hardoi	11	..	9	...	...	542	173	325	26	41	1,127
Kheri	11	2	...	...	...	51	26	19	5	51	165
Fyzabad	24	...	12	3	...	401	45	16	15	40	556
Bahraich	4	...	2	..	...	94	73	2	9	44	228
Gonda	12	...	10	...	...	169	19	1	9	36	256
Rae Bareli	11	...	4	...	...	102	83	...	...	77	277
Sultánpur	15	...	3		...	400	19	2	...	58	597
Partábgarh	15	...	4	...	...	231	11	3	39	60	363
Total ..	145	2	62	15	...	2 921	664	600	133	757	5,299

D.—*Showing the results of trials in the Courts of Session in* 1890 (*as affecting persons.*)

District.	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Referred.	Died, escaped or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4, and of those whose cases were referred under section 375, Criminal Procedure Code, who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow	87	18	63	...	...	6	77·	
Unao	69	5	57	...	...	7	91·	
Bara Banki	41	12	20	...	...	9	62·	
Sitapur	59	18	22	4	...	15	50·	
Hardoi	30	11	20	4	..	4	57·	
Kheri	39	7	23	4	...	5	67·	
Fyzabad	55	22	30	2	...	1	55·	
Bahraich	41	6	30	3	...	2	77·	
Gonda	57	15	25	2	...	15	59·	
Rae Bareli	57	8	40	.	...	9	83·	
Sultanpur	45	14	24	...	2	5	63·	
Partabgarh	23	6	15	...	...	2	71·	
Total ...	612	142	369	19	2	80	60·	
Judicial Commissioner's Court, Oudh ...	45	4	40	...	...	1	92	
GRAND TOTAL ...	657	146	409	19	2	81	71·	

E.— *Showing the results of trials in the Courts of Magistrates in* 1890 (*as affecting persons*).

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Committed or referred.	Died, escaped or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow City ...	5,690	1,808	3,747	49	5	81	67	
Lucknow ...	2,865	1,348	1,419	31	1	66	51	
Unao ...	3,776	1,684	1,975	78	...	39	53	
Bara Banki ...	5,369	2,606	2,617	61	2	83	50	
Sitapur ...	5,126	2,777	2,226	52	...	71	44	
Hardoi ...	7,791	3,399	4,007	92	7	286	54	
Kheri ..	4,718	2,778	1,697	41	7	195	37	
Fyzabad ...	7,745	3,464	4,029	66	18	168	53	
Bahraich ...	4,169	1,954	2,046	34	44	91	50	
Gonda ...	4,655	2 124	2,375	54	7	95	52	
Rae Bareli ...	5,324	2,820	2,356	69	3	76	45	
Sultánpur ...	5,791	3,601	2,027	43	3	117	36	
Partábgarh ...	3,681	1,899	1,683	27	14	58	46	
Total ...	66,700	32,262	32,204	697	111	1,426	49	

F.—*Showing the number of witnesses examined and the number of persons to whom payments were made on account of expenses in Courts of Sessions and Courts of Magistrates in* 1890.

Districts	Number of witnesses examined.				Amount paid as expenses.		Remarks
	Courts of Session.		Magistrates' Courts.		Courts of Session.	Magistrates' Courts.	
	Number of persons to whom payments were made	Number of witnesses examined.	Number of persons to whom payments were made.	Number of witnesses examined.	Amount paid.	Amount paid	
					Rs. a. p	Rs. a. p.	
Lucknow City ...	...	...	4,172	7,918	...	1,339 13 6	
Lucknow ...	1,225	1,261	2,176	5,586	2,015 15 6	797 1 6	
Unao ...	...	...	3,363	6,774	.	1,430 11 6	
Bara Banki ...	...	...	6,663	10,969	.	3,322 2 6	
Sitapur ...	882	938	5,073	9,882	1,116 2 0	2,627 2 6	
Hardoi ...	...	...	5,601	12,113	...	2,526 6 6	
Kheri ...	...	...	7,624	9,445		3,637 5 0	
Fyzabad ...	736	790	3,448	8,545	1,143 13 6	2,462 6 9	
Bahraich ...	...	...	5,271	9,227	...	2,610 14 0	
Gonda ...	...	...	5,617	9,289	..	3,109 0 6	
Rae Bareli ...	591	683	5,598	6,974	607 11 6	2,725 8 0	
Sultánpur ...	...	..	4,060	6,250	...	1,744 11 2	
Partábgarh ...	...	...	2,738	6,022	...	1,157 7 0	
Total ...	3,434	3,672	61,404	108,994	4,883 10 6	29,550 10 5	

G.—*Showing the detention of witnesses in Courts of Session and Courts of Magistrates in* 1890.

Districts.	Number of witnesses discharged.							
	Courts of Session.				Magistrates' Courts.			
	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.
Lucknow City	...	...	...	...	6,014	616	205	49
Lucknow	650	371	149	91	5,395	328	29	9
Unao	...	...	...	...	6,314	198	11	1
Bara Banki	...	...	...	...	10,764	202	3	...
Sitapur	704	95	68	71	9,596	300	14	...
Hardoi	...	...	...	...	11,651	428	34	...
Kheri	...	...	...	...	9,656	822	118	...
Fyzabad	652	120	6	12	8,148	346	45	6
Bahraich	...	...	...	...	9,042	167	17	1
Gonda	...	...	...	...	8,807	364	194	...
Rae Bareli	464	140	47	32	7,106	474	68	13
Sultánpur	...	...	...	...	6,161	411	27	0
Partábgarh	...	...	...	...	5,328	598	84	12
Total ...	2,470	726	270	206	103,982	5,254	844	100

H.—*Showing the total amount of fines imposed in the exercise of original jurisdiction by the Criminal Courts in* 1890, *the amount realised and the amount paid by way of compensation.*

Districts.	Courts of Session.			Magistrates' Courts.			Remarks.
	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Lucknow City	...	...	...	10,057	4,718	545	
Lucknow	2,430	150	...	7,356	3,620	443	
Unao	...	...	...	8,810	6,037	870	
Bara Banki	...	...	...	10,906	7,501	2,580	
Sitapur	196	...	...	5,498	4,569	1,223	
Hardoi	...	...	...	2,064	1,575	2,110	
Kheri	...	...	...	5,067	4,800	1,208	
Fyzabad	110	40	...	10,318	7,687	1,207	
Bahraich	...	...	...	6,543	5,141	961	
Gonda	...	...	...	11,169	7,844	704	
Rae Bareli	3,580	1,200	...	5,780	4,604	1,145	
Sultánpur	...	...	...	5,745	5,290	684	
Partábgarh	...	...	...	8,457	6,055	1,008	
Total ...	6,316	1,390	...	98,665	69,531	14,688	

I —*Showing the number of appeals (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in* 1890

Districts	Preferred		Disposed of		Pending		Remarks
	Court of Session	Court of District Magistrate	Court of Session	Court of District Magistrate	Court of Session	Court of District Magistrate	
Lucknow City	...	19		19	.	...	
Lucknow	301	47	280	46	12	1	
Unao	102	55	102	54		1	
Bara Banki	300	29	300	29	...	...	
Sitapur	374	28	369	28	5	...	
Hardoi	317	65	314	65	3	...	
Kheri	400	144	398	143	2	1	
Fyzabad	82	104	82	104	...	...	
Bahraich .. .	119	38	118	33	1	5	
Gonda	296	129	293	124	3	5	
Rae Bareli	135	89	135	88	...	1	
Sultánpur	133	64	132	62	1	2	
Partábgarh ...	117	50	115	50	2	..	
Total	2,676	861	2,647	845	29	16	

J —*Showing the number of applications for revision (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in* 1890.

Districts	Preferred		Disposed of.		Pending		Remarks
	Court of Session.	Court of District Magistrate	Court of Session	Court of District Magistrate.	Court of Session.	Court of District Magistrate	
Lucknow City	...	...	...	.	...	...	
Lucknow	14	14	14	14	...	...	
Unao	17	26	16	26	1	.	
Bara Banki	27	12	25	12	2		
Sitapur	2	4	2	4	...	...	
Hardoi	7	25	7	25	. .	...	
Kheri	2	42	2	42	...	.	
Fyzabad	57	97	55	97	2	...	
Bahraich	10	35	10	35	...	..	
Gonda	23	40	22	40	1	...	
Rae Bareli	8	48	8	47	...	1	
Sultánpur	...	31	...	31	...	.	
Partábgarh	4	45	4	43	..	2	
Total ...	171	419	165	416	6	3	

K.—*Showing the number of persons whose cases came before the Courts of Sessions Judges and of District Magistrates on appeal or application for revision, with the result as affecting the orders of the Lower Courts in* 1890.

Districts.	Appeals.				Applications for revision.			Remarks.
	Number of persons who appealed.	Ratio per cent. of persons appealing to persons in respect to whom appealable orders were passed.	Number of applicants in whose cases (1) appeals or applications were rejected, and (2) sentences or orders were confirmed.	Ratio per cent. of affirmed to decided.	Number of applicants (accused persons) for revision	Number of accused persons in whose cases applications for revision were rejected or orders were confirmed.	Ratio per cent. of rejected to disposed of.	
Lucknow City ..	25	1·	11	44·	...	...	...	
Lucknow ...	413	46	337	50·	11	25	80·	
Unao	208	13	124	42·	12	113	79·	
Bara Banki ...	382	22·	205	54·	20	42	85·	
Sitapur	442	28·	370	25	...	13	100·	
Hardoi	486	36·	365	42	19	55	83·	
Kheri	554	43·	437	24	10	82	96·	
Fyzabad	303	9	211	50·	91	379	79·	
Bahraich	186	15·	112	17·	20	82	84·	
Gonda	464	23·	369	20·	25	122	79·	
Rae Bareli ...	309	16·	222	56·	12	127	88·	
Sultánpur ...	271	17	214	66·	10	47	94·	
Partábgarh ...	242	24·	173	54·	33	74	84·	
Total ...	4,260	19·	3,238	41·	290	1,161	83·	

L.—*Showing the number of appeals and applications for revision (cases) preferred, disposed of, and pending in the High Court in* 1890.

Districts.	Appeals.			Applications for revision.			Remarks.
	Preferred.	Disposed of.	Pending	Preferred.	Disposed of.	Pending.	
Lucknow	41	41	...	24	24	...	
Unao	39	37	2	11	10	1	
Bara Banki	31	29	2	21	21	...	
Sitapur	20	20	...	14	14	...	
Hardoi	41	41	...	21	21	.	
Kheri	20	20	...	3	2	1	
Fyzabad	22	20	2	17	16	1	
Bahraich	20	20	...	3	2	1	
Gonda	34	34	...	13	12	1	
Rae Bareli	53	53	...	14	14	...	
Sulátnpur	15	15	...	3	3	...	
Partábgarh	12	12	..	6	5	1	
Total ..	348	342	6	150	144	6	

M.—*Showing the result, as affecting persons, of appeals and revision in the High Court of Oudh in* 1890.

Sessions division.	Appeals.						Applications for revision.					
	Rejected	Sentence affirmed.	Sentence reversed.	Sentence varied.	Further enquiry ordered.	Otherwise disposed of.	Rejected.	Order affirmed.	Order reversed.	Order varied.	Further enquiry ordered.	Otherwise disposed of.
Lucknow ...	41	54	3	12	...	...	31	26	12	2	..	...
Sitapur ...	29	47	13	8	...	...	30	11	6	...	...	...
Fyzabad ...	25	48	7	10	...	...	18	20	13	2	...	...
Rae Bareli ...	35	46	4	6	...	...	14	7	1	3	...	...
Total ...	130	195	27	36	...	...	93	64	32	7	...	...

N.—*Criminal business coming before the High Court of Oudh in* 1890.

Description of cases.	Remaining from 1889.	Filed in 1890.	Disposed of in 1890.	Remaining at the close of 1890.	Remarks
ORIGINAL BUSINESS.					
Nil.					
APPEALS.					
By persons convicted. — From the orders of Deputy Commissioners acting under section 30 of the Code of Criminal Procedure.	1	107	107	1	
By persons convicted. — Sessions Judges	14	241	250	5	
By the Local Government. — From the judgment of acquittal of all Courts ...	...	...	...	...	
Total ...	15	348	357	6	
REFERENCES.					
Cases in which sentence of death passed by Sessions Judges was referred for confirmation under section 374 of the Code of Criminal Procedure.	2	39	40	1	
Cases in which proceedings held against persons who could not understand them were referred for orders under section 341 of the Code of Criminal Procedure.	...	...	...	...	
Total ...	2	39	40	1	
REVISION.					
Cases referred for revision by District Magistrates and Sessions Judges under section 438 of the Criminal Procedure Code.	...	90	88	2	
Cases dealt with by the Court under section 439 of the Criminal Procedure Code	...	...	...	...	
Cases decided by Magistrates	...	95	90	5	
(2) Ditto by Sessions Judges	4	74	77	1	
Total ...	4	259	255	8	
Full Bench Reference ...	...	...	...	...	
GRAND TOTAL ...	21	646	652	15	

ORDERS OF GOVERNMENT.

No. $\frac{3106}{\text{VI—868B.}}$ OF 1891.

FROM

THE SECRETARY TO GOVERNMENT,

NORTH-WESTERN PROVINCES AND OUDH,

TO

THE JUDICIAL COMMISSIONER OF OUDH.

Dated Allahabad, the 16th November 1891.

SIR,

JUDICIAL DEPT. (CRIMINAL.)

I AM directed to acknowledge the receipt, on 10th October 1891, of your letter No. 1740, dated 18th August 1891, forwarding the statements of criminal justice in Oudh for 1890. The statistics were received last year on the 23rd August, and it should be possible to arrange that the clerk who is entertained for that purpose should complete their preparation before being employed on other kinds of work.

2. There has again been a further approach to uniformity in the figures for offences reported, returned as true, and brought to trial in the North-Western Provinces and in Oudh, divergencies in which have formed the subject of comment for some time past. The instructions to secure uniformity in the method of compiling the returns did not come into force till the 1st January 1891, so that a complete correspondence cannot be looked for till the returns for the current year are compiled. Subjoined are the figures for 1890 as compared with those for 1889 in both provinces.

Provinces.		Reported.	Returned as true.	Brought to trial.	Percentage of cases returned as true to cases reported.	Percentage of cases brought to trial to cases returned as true.	Number of reports per 10,000 of population.
North-Western Provinces.	1889	154,607	113,802	110,484	73·60	97·08	47·21
	1890	152,829	114,628	110,902	75 00	96·74	46 67
Oudh.	1889	48,565	33,379	33,921	68 72	101·62	42·57
	1890	49,342	35,598	36,192	72 14	101·66	43.25

3. The increase in offences reported was thus about one per cent., the principal variations occurring in the following classes of cases.

Increase.	1889	1890.	Decrease.	1889.	1890.
Contempt of authority of public servants ...	538	722	Hurt	11,098	11,100
Offences affecting public health ...	234	341	Criminal force and assault	3,646	3,510
Theft	6,874	7,706	Offences relating to marriage. ...	1,574	1,381
Offences under the Criminal Procedure Code and special and local laws	11,174	12,050	Defamation ...	523	365

The decrease in reports in those classes of offences in which it is notorious that false or frivolous charges are most frequently preferred cannot but be regarded as satisfactory. In Bahraich and Lucknow City there was a noticeable increase in the number of offences reported, while in Gonda, Fyzabad and Partábgarh the diminution was marked. Of the 49,342 cases reported, 2,211 cases, or between 4 and 5 per cent., were struck off the police registers as false, while 11,533, or 23 per cent., were dismissed under the provisions of section 203 of the Criminal Procedure Code. This percentage is the lowest reached since 1886, in which year the alterations in the rules for the compilation of the statistics were brought into force the figures for each year being :—

	Offences reported.	Struck off under section 203.	Percentage struck off.
1886	47,080	11,390	24
1887	46,839	12,581	26
1888	47,508	13,118	27
1889	48,565	13,103	27
1890	49,342	11,533	23

The difficulty experienced by Colonel Barrow in showing cases of absconding by Barwárs should be referred separately for orders if necessary. Compensation was awarded under section 250, Criminal Procedure Code, to 145 persons, or 56 less than in 1889, the figure being abnormally low. The amendment in the provisions of the law made by Act IV of 1891 should effect an improvement in this respect.

4. There was an increase of 2,194 in cases brought to trial, to which Lucknow City, Bara Banki, Bahraich and Sultanpur contributed a large proportion. The numbers in Rae Bareli and Partábgarh show an almost unbroken increase since 1885. For the last three years the percentage of persons convicted to the total number of persons convicted and acquitted has been falling off in Oudh ; but this year there is a marked rise, and the percentages for the North-Western Provinces and Oudh are now identical. The figures are :—

	North-Western Provinces.			Oudh.		
	Tried out	Convicted.	Percentage convicted.	Tried out.	Convicted.	Percentage convicted.
1889 ...	183,276	91,360	49	61,756	28,553	46
1890 ...	182,609	91,404	50	65,140	32,735	50

If offences under the Penal Code from those under the Code of Criminal Procedure and special and local laws are considered separately, it appears that the difference between the percentages of convictions under

the latter in the North-Western Provinces and Oudh has considerably diminished during the year—

	Penal Code.				Special and local laws.			
	North-Western Provinces. *a*		Oudh. *b*		North-Western Provinces. *a*		Oudh. *b*	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Tried out	134,217	131,326	42,354	45,069	49,059	51,283	19,402	20,071
Convicted	53,658	52,964	16,211	18,681	37,702	38,440	12,342	14,0f4
Percentage convicted ...	39	40	38	41	76	74	63	70

It is the higher percentage under the latter head which brings the general percentage of convictions in the North-Western Provinces to an equality with that in Oudh ; under all other heads except one (offences against public tranquillity) the North-Western Provinces are as a rule this year somewhat lower than the Oudh percentages, which have improved in every case except that just mentioned when compared with the figures for 1889.

Offence.	Percentage of persons convicted.		
	North-Western Provinces.	Oudh.	
	1890.	1890.	1889.
Against public tranquillity	65	58	59
By and against public servants	58	61	53
Against public justice	54	55	48
Connected with coin, &c	50	60	55
Connected with religion and health	67	76	71
Against the human body	43	56	48
Hurt and assault	19	19	19
Theft	71	74	72
Mischief	16	19	19
Criminal trespass	49	55	48
Against property (the remainder)	57	63	60
Miscellaneous	14	18	16

5. All districts show an improvement in the percentage of persons convicted in Magistrates' Courts except Lucknow, Kheri, and Sultánpur. In Lucknow the falling off was accompanied by a decrease of cases brought to trial. The diminution in Sultánpur may perhaps be accounted for by the increase in the number of such cases. As is usually the case, the percentage of persons convicted for causing hurt and assault was low, *viz.*, 19. In Bara Banki, Partábgarh, Sitapur and Kheri there was a signal failure in cases of wrongful restraint and wrongful confinement. Sixty-eight persons in all were tried at Bahraich and Sultánpur for dacoity and only eight convicted. The latter district was unfavorably noticed last year ni this respect. It is satisfactory to see that the offence of receiving stolen property was brought home to 1,153 persons in 1890 as compared with 953 in 1889.

6. Two thousand eight hundred and fifty-seven persons were called on to furnish security for keeping the peace as compared with 2,148 in 1889, the percentage who were finally bound over rising to 59 from 45·8. Hardoi, in which district last year the percentage of successful cases was

only 29, now heads the list of districts with a proportion of 76 per cent. The bad livelihood sections of the Criminal Procedure Code were enforced against 487 persons, the number in 1889 having been 379.

7. The working of the different classes of Courts as shown by the number of persons whose cases were disposed of is compared with that of last year in the subjoined table :—

	Number of persons whose cases were disposed of.		Percentages of persons convicted (including committals)		Percentage of persons whose cases were disposed of by Magistrates to total number.		Duration of cases.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid Honorary Magistrates,	7,770	6,942	28	38	28	26	6 00	5 42
Benches of ditto ...	9,492	9,898	65	62			2 81	4 0
Subordinate paid Magistrates .	14,553	13,775	35	40	61	59	6 29	5 40
Full power Native ditto ...	22,676	24,521	46	54			8 31	8 81
Ditto European ditto ...	5,105	7,717	56	44			6 30	7·64
Chief Magistrates .	1,423	1,487	79	79	11	15	5 80	6 89
Deputy Commissioners, under section 30.	671	823	75	72			9 70	11·48
Total Magistracy	61,690	65,163	46	50	...	..	6 50	6 96
Sessions Judges	734	530	65	73	...	...	55 46	50·14

The striking feature of the year's work is the great falling off in the percentage of convictions in the Courts of full powered European Magistrates, the percentage being especially low in this class of Court at Hardoi (32), Unao (31), Sitapur (26), and Rae Bareli (25). A larger share of the work was performed by European Magistrates than in 1889, and the proportion of work performed by subordinate full power Magistrates of this class, the continued falling off in which was noticed last year, has at last begun to rise, being 10 per cent. of the whole in 1890, as compared with 8 per cent. in 1889. In the exercise of their powers under section 30, Deputy Commissioners disposed of the cases of 44 per cent. more persons than last year ; Colonels Grigg, Pitcher and Barrow and Mr. Mulock are conspicuous for the amount of original criminal work performed by them. This increase of original work performed by Deputy Commissioners no doubt accounts for the falling off in that disposed of in Sessions Courts. There was no appreciable change in the duration of cases in Magistrates' Courts ; while in Sessions Courts there was the improvement of five days. The long duration (39 days) of the very few cases (13) disposed of in the exercise of his powers under section 30, Criminal Procedure Code, by the Deputy Commissioner of Sultanpur is not explained, though it is stated that the Commissioner exonerates him in respect of the paucity of cases tried by him. Six hundred and seventy-eight cases remained pending at the close of 1890 against 581 at the close of 1889 ; Hardoi, as was the case last year, showing the greatest number ; there were, however, more cases for disposal in that district than in any other. The thanks of Government are due to those Honorary Magistrates and benches mentioned in paragraphs 59 and 60 of your report as having disposed of a large number of cases. The percentage of convictions (including commit-

ments) and the duration of cases in the North-Western Provinces as compared with Oudh, are given below :—

	North-Western Provinces.	Oudh.
Percentage of convictions in—		
Magistrates' Courts...	50	50
Sessions Courts	68	73
Duration of cases in days in—		
Magistrates' Courts...	5	7
Sessions Courts	43	50

8. The figures for punishments in Magisterial Courts are compared with those for 1889, in the annexed statement :—

Court.	Percentage for each class of Court to the total number of punishments inflicted by it of punishments consisting of—							
	Rigorous imprisonment.		Simple imprisonment.		Fine.		Whipping.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Honorary Magistrates sitting singly	37	35	2	4	56	54	5	7
Benches of Honorary Magistrates	4	4	...	1	95	94	1	1
Stipendiary Magistrates ...	36	36	1	1	55	53	8	10
District Courts exercising powers under section 30 ...	73	76	1	1	18	12	8	11
Chief Magistrates of Districts	42	41	1	1	30	21	27	37
All Courts including Sessions Court	31	31	1	1	62	59	6	9
North-Western Provinces Courts ...	30	31	1	1	65	61	4	7

The proportions in the different Courts are such as might have been expected, and the tendency in the Courts of Stipendiary and District Magistrates seems to be to resort more freely to the punishment of whipping. On the other hand the percentage of whippings calculated on all cases in which the offenders might have been punished with whipping was only 19·60 in 1890 as against 21·05 in 1889. Fines to the amount of Rs. 98,665 were imposed in the Courts of Magistrates during the year, of which only Rs. 69,531 or 70 per cent. were realized, as compared with 76 per cent. in 1889. The Lucknow Magisterial Courts are almost entirely responsible for the falling off in the percentage, as the City Courts only realized 46 per cent. of the fines they imposed, while the District Courts realized 49 per cent. as against 94 per cent. in the preceding year. The Courts in question were those of Munshi Banke Bihari Lal, where 15 per cent. of fines imposed was realized, the Cantonment Magistrate, where 40 per cent. was realized, and the City Magistrate, where 30 per cent. was realized. Excluding the figures for Lucknow the realizations amount in 1890 to 75 per cent. of the demand. Twenty-one per cent. of fines realized in Magistrates' Courts were paid as compensation, the figure last year having been 19. The district figures vary very greatly, from 133 per cent. in Hardoi, where more than the amount realized was paid in compensation, to 9 per cent. in Gonda In Sessions Courts nothing was paid by way of compensation, though Rs. 1,390 were realized as fines against Rs. 1,605 in 1889, when Rs. 834 were so paid.

9. One hundred and eight thousand nine hundred and ninety-four witnesses were examined in the Courts of Magistrates, to 56 per cent. of whom payments of diet money were made. The percentage whose expenses were thus paid varies considerably from district to district, 80 per cent. receiving money in Kheri and Rae Bareli, and only 38 and 40 per cent. in Lucknow and Fyzabad respectively. About five per cent. of witnesses summoned were discharged after the first day, and here again there were considerable variations from district to district, 10 and 11 per cent. being detained after the first day in Lucknow City and Partábgarh, against one or two per cent. in Bara Banki and Bahraich.

10. The results of appellate and revisional work are compared below with those for last year :—

Appeals.	Number of accused in whose cases appeal was made or revision applied for.		Those whose sentence was upheld.		Percentage upheld.		Duration in days.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
To Chief Magistrate	1,313	1,274	818	752	62	59	8·75	8 79
„ Sessions Courts	2,835	3,011	2,411	2,497	85	82	10 47	11·27
„ Judicial Commissioner ...	424	394	351	325	82	82	20 56	22·37
Total ...	4,572	4,679	3,580	3,574	78	76	11 60	11·75
Revision—								
By Chief Magistrate	1,089	1,015	781	838	71	82	10·96	10·39
„ Sessions Court	411	411	341	323	83	78	13 46	11 67
„ Judicial Commissioner ...	471	398	291	237	61	59	16·13	15·70
Total ...	1,971	1,824	1,413	1,398	71	76	12·96	12 80

The slight falling off in the percentage of sentences upheld on appeal is perhaps explained by the fact that whereas in 1889, 4,572 out of 28,553 persons convicted, or 16 per cent. appealed, in 1890 only 4,679 out of 32,735 or 14 per cent. appealed, so that appeals, in the cases where they were preferred, were better considered in 1890 than in 1889. The percentage of defendants in whose cases appeals or applications for revision, whether by defendant or complainant, were preferred was 19 as compared with 22 ; the similar figures in the North-Western Provinces being 26 and 24. A similar diminution of the tendency to appeal appears if the percentage of appeals and applications for revision for disposal shown in Statements I and J is taken on the number of cases disposed of shown in Statement B., the percentage falling from 12 to 11. There are considerable variations in the percentage of appeals and applications filed on cases disposed of in the different districts, Lucknow and Kheri showing percentages of 24 and 21, as compared with 8 in Sultánpur and Bahraich. In Lucknow City, where the major portion of the cases decided are disposed of by the bench, the percentage of decisions questioned in higher Courts is only ·5. The appeals in Bahraich would seem to be preferred with much discrimination, as only 17 per cent. of them failed. In Kheri, on the other hand, the decisions of the Courts

would appear to have been faulty, for, though a large proportion were questioned in appeal or revison, only 24 per cent. of the appeals proved fruitless.

11. Of 32 cases tried by jury, in 31, or 97 per cent., the conviction was approved of by the Judge. In the North-Western Provinces the similar percentage was 85. Judges agreed with the assessors in 82 per cent. of the 262 cases tried. In the North-Western Provinces the percentage was 70. The percentages of the two provinces for the last two years corresponded much more closely.

I have the honor to be,

SIR,

Your most obedient servant,

W. C. BENETT,

Secy. to Govt., N.-W. P. and Oudh.